Teaching Regulation Agency

Mr Paul Bilsby, Mr Kevin Saunders and Mr Andrew Wallace: Professional conduct panel outcome

Panel decision and reasons on behalf of the Secretary of State for Education

January 2019

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Professional conduct panel decision and recommendations, and decision on behalf of the Secretary of State

Teacher:	Mr Paul Bilsby
Teacher ref number:	9144629
Teacher date of birth:	14/01/1970
TRA case reference:	15032
Teacher:	Mr Kevin Saunders
Teacher ref number:	9754825
Teacher date of birth:	09/10/1974
TRA case reference:	15030
Teacher:	Mr Andrew Wallace
Teacher ref number:	9635019
Teacher date of birth:	07/10/1958
TRA case reference:	15031
Date of determination:	29 January 2019
Former employer:	Ravens Wood School, Bromley

A. Introduction

A professional conduct panel ("the panel") of the Teaching Regulation Agency ("the TRA") convened on 17, 18, 21, 22, 23 & 29 January 2019 at Cheylesmore House, Quinton Road, Coventry CV1 2WT to consider the joined cases of Mr Paul Bilsby, Mr Kevin Saunders and Mr Andrew Wallace.

The panel members were Ms Mick Levens (teacher panellist – in the chair), Mr Martin Pilkington (lay panellist) and Ms Jean Carter (lay panellist).

The legal adviser to the panel was Mr Robin Havard of Blake Morgan LLP solicitors.

The presenting officer for the TRA was Ms Louisa Atkin of Browne Jacobson LLP solicitors.

Mr Wallace was present and was represented by Mr Andrew Faux, counsel.

Neither Mr Bilsby nor Mr Saunders were present, nor were they represented

The hearing took place in public and was recorded.

B. Allegations

The panel considered the allegations set out in the Notices of Proceedings as amended.

It was alleged that Mr Bilsby, Mr Saunders and Mr Wallace were guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute, in that:

In respect of Mr Paul Bilsby:

The panel heard an allegation that Mr Bilsby was guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute in that whilst employed and/or engaged as a Vice Principal of Ravens Wood School, Bromley, he:

1. **allowed and/or encouraged one or more members of staff to submit information regarding the ICT BTEC Level 2 to Pearson and/or EdExcel which he knew or should have known was false and/or inaccurate, including;**
    a. **in relation to the certificate claims which were made in July 2013;**
    b. **in relation to the learner portfolios which were provided during the course of a quality visit on 16 July 2013;**
2. **Failed to take any, or any appropriate action to correct the false and/or misleading impression which was being given to Pearson and/or EdExcel in relation to issues concerning the ICT BTEC Level 2 following the quality visit on 16 July 2013;**
3. **His behaviour as may be found proven at 1 and/or 2 above lacked integrity and/or was dishonest.**

In a letter from Mr Bilsby's union, NASUWT, dated 12 December 2018, and in a Statement of Agreed Facts signed by Mr Bilsby and dated 14 March 2017, Mr Bilsby admitted certain facts. On the basis of those admitted facts, Mr Bilsby admitted acting without integrity and unacceptable professional conduct. However, Mr Bilsby did not admit the facts as alleged in the particulars set out above. The panel therefore approached the allegations as if they were denied.

In respect of Mr Saunders:

The panel heard an allegation that he was guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute, in that whilst employed and/or engaged as Principal and/or Acting Principal of Ravens Wood School, Bromley, he:

1. **Allowed and/or encouraged one or more members of staff to submit information regarding the ICT BTEC Level 2 to Pearson and/or Ed Excel which he knew or should have known was false and/or inaccurate, including:**

    a. **In relation to the certificate claims which were made in July 2013;**

    b. **In relation to the learner portfolios which were provided during the course of a quality visit on 16 July 2013.**

2. **Failed to take any, or any appropriate action to correct the false and/or misleading impression which was being given to Pearson and/or EdExcel in relation to issues concerning the ICT BTEC Level 2 following the quality visit on 16 July 2013.**

3. **His behaviour as may be found proven at 1 and/or 2 above lacked integrity and/or was dishonest.**

Mr Saunders denied the allegations.

In respect of Mr Wallace:

The panel heard an allegation that he was guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute in that whilst employed and/or engaged as a Vice Principal of Ravens Wood School, Bromley, he:

1. **submitted information regarding the ICT BTEC Level 2 to Pearson and/or EdExcel which he knew or should have known was false and/or inaccurate, including by submitting an investigation report which:**

    a. **suggested that he had discussed matters with "ICT staff", when that was not the case;**

    b. **sought to blame problems with the ICT BTEC Level 2 on staff responsible for teaching Year 11, despite the fact that Year 11 were not timetabled for ICT that Year (as work in respect of the BTEC should have been completed when they were in Year 10);**

    c. **suggested that there was not an effective Internal Verification process, when that was not the case;**

    d. **suggested that the data submitted as part of the claim for certificates had been submitted by mistake, when there had in fact been a conscious decision by one or more members of the Senior Management Team to submit it.**

2. **planned and/or attempted to interfere with Pearson's investigation in relation to the ICT BTEC Level 2, including by;**

    a. **attempting to influence what staff would say during their investigatory interviews with Pearson;**

    b. **indicating during a meeting with staff on or around 29 August 2013 that he would "construct a narrative" following the meeting, intending that the same would be used by staff to inform their responses to questions;**

3. **His behaviour as may be found proven at 1 and/or 2 above lacked integrity and/or was dishonest.**

Mr Wallace admitted the facts of particular 2a. In doing so, he also admitted allegation 3 in that such behaviour lacked integrity. He also admitted that such facts amounted to unacceptable professional conduct.

Mr Wallace denied the facts of allegation 1 and particular 2b save that, in respect of particular 2b, he admitted that he had indicated during a meeting with staff on or around 29 August 2013 that he would "construct a narrative" following the meeting.

Mr Wallace denied that he had acted dishonestly.

C. Preliminary applications

Proceeding in absence

The Notice of Proceedings was sent to both Mr Bilsby and Mr Saunders by letter of 26 April 2018. The Notice is in compliance with the Teacher Misconduct – Disciplinary Procedures and provided in excess of eight weeks' notice of today's hearing. The panel is satisfied that the Notice contains the information required by paragraph 4.12 to be included.

The panel also notes that both Mr Bilsby and Mr Saunders completed and returned the Notice of Proceedings form which is signed by them and dated 22 May 2018 and 26 April 2018 respectively.

There has been subsequent correspondence to both persons confirming the change of dates and venue.

The panel is satisfied that the proceedings have been properly served.

The panel has gone on to consider whether it would be appropriate to proceed in the absence of Mr Bilsby and Mr Saunders. In accordance with paragraph 4.29 of the

Teacher Misconduct – Disciplinary Procedures, the panel has a discretion whether to proceed with the hearing in the absence of a teacher or to adjourn the hearing.

In his response form, Mr Saunders confirms that he does not intend to appear at the hearing nor does he intend to be represented. He has also obtained legal advice and has provided a detailed response to the allegations.

In the response form completed by Mr Bilsby, he confirms that he does intend to appear at the hearing and that he intends to be represented.

However, subsequently, in an email from his representatives dated 31 October 2018, it has been confirmed that Mr Bilsby does not intend to attend. Again, as in the case of Mr Saunders, Mr Bilsby has provided a written response to the allegations.

The panel is satisfied that both Mr Bilsby and Mr Saunders are clearly aware of today's hearing and, in the absence of any request for an adjournment, the panel concludes that they have both waived their right to attend.

Whilst the allegations are serious, both have submitted written responses and therefore the panel is satisfied that it is able to fully understand the issues involved in this case and that it can reach findings of fact on the evidence before it.

Taking account of the public interest in proceedings taking place within a reasonable time, and the public interest in this case, the panel has decided that it is appropriate to proceed with the hearing in the absence of Mr Bilsby and Mr Saunders.

Documents

At the commencement of the hearing, a Statement of Agreed Facts and some testimonials were produced in respect of Mr Bilsby. These were added to Section 9 of the bundle and paginated numbers 22-28.

Mr Faux applied to introduce documents which related to Mr Wallace's character. There was no objection from Ms Atkin.

The panel confirmed that it allowed those documents to be included in the bundle and paginated numbers 97-105. There were also some separate documents, which had not been copied, which related to Mr Wallace's character. Again, there was no objection from Ms Atkin and the panel allowed their admission into evidence.

Amendment

Ms Atkin confirmed that she wished to amend the allegation in relation to Mr Saunders so that they replicated those faced by Mr Bilsby. The error was a typographical one in that, instead of numbering the sub-particulars as 1(a) and 1(b), the paragraphs had been

numbered 2 and 3. This had the knock on effect of mis-numbering what should have been allegations 2 and 3 as in the case of Mr Bilsby.

Ms Atkin confirmed that, as soon as the error had been noticed, a letter was written to Mr Saunders on 2 January 2019 to let him know that an application to amend would be made. He had not responded to that letter.

The panel granted the application to amend the allegations in the manner requested by Ms Atkin. The panel was satisfied that Mr Saunders had been given notice of the application and he had not raised any objection. The panel was also satisfied that the amendment caused no prejudice to him and that it was in the interests of justice to grant the amendment.

In respect of Mr Wallace, whilst a sentence relating to behaving with a lack of integrity and dishonesty was included in the Notice of Proceedings, it was not numbered as allegation 3. The presenting officer requested that it was included as allegation 3. Mr Faux did not object and the panel agreed to the application.

Application for Witness D to give evidence via Skype

It was not suggested by Ms Atkin that Witness D was a vulnerable witness but the TRA had been told on 11 January 2019 that, due to other professional commitments, it would not be possible to attend other than by Skype. It would not be possible to arrange for a witness summons to be issued and served in time for the hearing and so this was the reason for the application. Mr Faux confirmed that he did not object to the application as he had no questions for Witness D.

In the circumstances, the panel allowed the application.

Application for Witness C to be treated as a vulnerable witness

The panel is satisfied that, without making any findings of fact in relation to the concerns which have been raised by Witness C, her anxiety at the prospect of giving evidence in these proceedings is genuine.

The panel is satisfied that, in the circumstances, it would be appropriate for screens to be erected so that, when Witness C gives evidence, she will do so without having sight of Mr Wallace, Messrs Bilsby and Saunders having decided not to attend. This is a proportionate measure to avoid the risk that the quality of her evidence may be adversely affected.

The panel wishes to emphasise that it will not draw any adverse inference from making this direction.

D. Summary of evidence

Documents

In advance of the hearing, the panel received a bundle of documents which included:

Section 1: Chronology, List of Key People and Anonymised Pupil List – pages 1 to 8;

Section 2: Notices of Proceedings and Responses – pages 1 to 22;

Section 3: Teacher Regulation Agency Witness Statements – pages 1 to 46;

Section 4: Correspondence relating to ICT BTEC at Ravens Wood School – pages 1 to 365;

Section 5: Reports Statements and other documentation relating to ICT BTEC at Ravens Wood School – pages 1 to 650;

Section 6: Transcripts of Meeting on 29 August 2013 and Interviews undertaken by Pearson – pages 1 to 493;

Section 7: Response and documentation provided by / on behalf of Mr Saunders – pages 1 to 63;

Section 8: Response and documentation provided by / on behalf of Mr Wallace – pages 1 to 96;

Section 9: Response and documentation provided by / on behalf of Mr Bilsby – pages 1 to 21.

The panel also received at the hearing the documents to which reference is made in the preliminary application above.

The panel members confirmed that they had read all the documents either in advance of, or, in the case of the additional documents, in the course of, the hearing. The panel also listened to the recording of the meeting on 29 August 2013.

Witnesses

The panel heard oral evidence from the following witnesses.

On behalf of the TRA:

Witness A (formerly [redacted]), who was a teacher at the school until she left in January 2014. In this decision, she is referred to as Witness A as this is consistent with the documents in the bundle;

Witness B, an ICT teacher at the school between January 2002 and December 2013;

Witness C (formerly [redacted]), who was a teacher at the school between 27 August 2002 and 4 April 2014. In this decision, she is referred to as Witness C as this is consistent with the documents in the bundle;

Witness D, a Principal Standards Manager at Pearson Plc;

Witness E, an Investigations Manager at Pearson Plc between 2006 and 2014.

Mr Wallace gave evidence on his own behalf.

E. Decision and reasons

The panel announced its decision and reasons as follows.

The panel has carefully considered the case and reached a decision.

The panel confirms that it has read all the documents provided in the bundle and the additional documents submitted in advance of, and during, the hearing.

The panel had been provided with a very substantial amount of both oral and documentary evidence. The panel was also having to consider the allegations against three teachers. Whilst there was substantial overlap with regard to the evidence on which the TRA relied to substantiate the allegations, and whilst the allegations against all three teachers centred around the ICT BTEC Level 2 qualification, the panel has considered the role of each teacher separately.

Furthermore, the panel considers the background, and history, of the ICT BTEC Level 2 course at Ravens Wood School ("the school") to be of considerable relevance to its ultimate findings. The events in 2012 and the first half of 2013 are of importance in order to understand the events which form the basis of the allegations of misconduct brought against Mr Bilsby, Mr Saunders and Mr Wallace in July and August 2013.

As a result, prior to considering the facts of the particulars and the allegations against each teacher, the panel wishes to set out in some detail the factual background leading up to the events in July and August 2013. It is only in this way that the panel's findings can be seen in their proper context. Furthermore, the background is relevant to the allegations against all three teachers. It is for this reason, also, that it would neither be helpful, nor accurate, for the background facts to be set out in respect of just one teacher.

However, as well as its findings of fact in respect of each of the particulars as set out below, the panel confirms that the following outline of the background and history represents findings of fact on which it also relies when considering whether the facts of

the allegations have been found proved or not proved. Whilst the panel has sought to avoid any, there may be, by necessity, a certain level of overlap and repetition.

Ravens Wood School was, at the material time, a multi-academy trust. It had approximately 1,400 pupils with eight classes in each Year. There were approximately 120 staff.

Those who had taught at the school and who gave evidence to the panel, including Mr Wallace, described the culture at the school as having changed to become more challenging and intimidatory; reference was made to bullying and teachers being wary of senior members of staff.

By reference to the organisation chart which showed the structure of the Senior Management Team ("SMT") in the academic Year 2012/2013, Individual A was Executive Principal at the school. Mr Saunders was Principal. Mr Bilsby is shown as Vice Principal in Pupil Support and Development and Mr Wallace is Vice Principal in Academic Development.

In September 2006, Witness C became the Head of the ICT Department. From July 2012, Mr Bilsby became her line manager.

Witness A not only managed and developed the IT infrastructure of the school but also taught a computer networking course to sixth form pupils. When this course became amalgamated as BTEC IT Units, her teaching role fell within the ICT Department and, in respect of that part of her role, she reported to Witness C.

In February 2012, Witness A became Lead Internal Verifier ("Lead IV") for the ICT Department. To do so, Witness A trained and passed an assessment run by EdExcel which authorised her to sample both the ICT Department BTEC ICT documentation and the pupils' coursework assessment decisions to check whether they met the required standards. This authorisation from EdExcel was described as the OSCA2 Certification process which meant that it was most unlikely that EdExcel would externally moderate BTEC coursework from the school's ICT Department. As a result, from February 2011, the BTEC ICT qualification became 100% internally assessed.

Whilst Witness A was the Lead IV, it was also expected that each department would carry out its own IV by verifying each other's marking for example.

The school had also appointed Mr Wallace as the BTEC Quality Nominee ("QN") to oversee BTEC throughout the school. Part of that role was to "ensure that assessment and internal verification is effective". It was also his responsibility as QN to ensure that "certificate claims are accurate and up to date".

The ICT Level 2 BTEC qualification counted as two GCSEs. It was therefore an important qualification in terms of the school's overall performance. Performance is also measured

by the amount of "value added" achieved. Value added is the measure by which an individual pupil's outcomes exceed the exam results predicted for them.

The ICT Level 2 BTEC qualification is made up of four Units of work. A pupil can either pass or fail a Unit. If the pupil passes the Unit, then depending on how well that pupil has performed, he or she may be awarded a merit or a distinction.

At the material time, the ICT Level 2 BTEC qualification was comprised of four Units. The ICT Department had produced a tick sheet of all the requirements for the BTEC criteria. For example Unit 1 would require a certain set of documents the pupils had to produce for each criterion and, once checked, this would lead to a decision whether a pupil had failed or, if he or she had passed, whether the work deserved a merit or distinction grade.

If a pupil failed either Unit 1 or Unit 2, which are compulsory, then that pupil would fail the whole of ICT Level 2 BTEC. If the pupil failed any non-compulsory Unit, but passed Units 1 and 2, that pupil could still pass his or her ICT Level 2 BTEC qualification but it may prevent a merit or distinction being awarded.

The ICT Level 2 BTEC coursework was timetabled to be completed at this school by the pupils in Years 9 and 10. In Year 11, it would not form part of the curriculum and therefore would not have provision in the timetable.

It is a requirement that a document called an Assignment Brief is prepared which will form the basis of effective delivery of ICT Level 2 BTEC. It should be designed to enable pupils to meet the assessment criteria for the Unit and serves as a direction to pupils towards the evidence they need to produce.

Coursework prepared by pupils would be kept in their individual online user area on the school network and also in a hard copy folder. The same material should exist in each.

Whilst Witness C was head of the ICT Department, two teachers, Individual B and Individual C, were "point holders" who had responsibilities for managing the Level 2 BTEC ICT qualification.

Whilst the allegations relate to the Year 11 cohort and the academic Year 2012 / 2013, the circumstances which affected the Year 11 cohort in the academic Year 2011 / 2012 provides relevant background and context.

Witness A stated and the panel found that the internal verification ("IV") in June 2011 was the last IV carried out by departmental teachers which meant that the only IV that was being undertaken was that of Witness A. Further, whilst Individual B, in particular, had been presented as someone with considerable experience and an ICT BTEC expert, both she and Individual C were resistant to producing essential documents such as the Assignment Brief and failed adequately to correct errors or shortcomings discovered by

Witness A. Furthermore, the recommendations made by Witness A to Individual B and Individual C were not passed on to the staff in the department.

This meant that the IV processes within the department became very lax.

In February 2012, having carried out IV of a sample of ICT BTEC Level 2 coursework, Witness A informed Andrew Wallace of her concern, in that grades being awarded to pupils were not supported by the work in the folders. Having been concerned by what she had found on one pupil's coursework, she carried out IV on the whole of the cohort. She then met with Kevin Saunders and Witness C and informed them that there were many instances of misinterpretation and over-marking in two of the Units, causing the majority of the cohort to be failing.

Witness A produced a spreadsheet showing how the school had interpreted each criterion and an Action Plan was put in place to correct the major shortfalls at pass, merit and distinction level. It was agreed with Mr Saunders, Witness C, Individual B and Individual C that this Action Plan would be implemented.

By an email of 16 April 2012 Mr Bilsby asked Individual B and Individual C for an update on Year 11 BTEC ICT progress. It is suggested by Mr Bilsby that Mr Wallace had spoken with Witness A and another Vice Principal, Individual D, about the hope that the cohort's work could be signed off without any more sessions. However, Witness A stated, and the panel found, that no such conversation had taken place.

In April 2012, Witness A carried out further IV on a few samples of merit and distinction work which again did not fulfil the criteria.

Despite the fact that Witness A had found that a number of samples which had been marked as either a merit or a distinction had not fulfilled the criteria, the results that were finally submitted to EdExcel were "excellent" and a high proportion were distinctions with no evidence to back the higher grades.

Witness A stated, and the panel found, that, in respect of the Year 11 cohort in the academic Year 2011 / 2012, her recommendations to the ICT Department showing what needed to be done to bring the work up to the grades which were being claimed were ignored. These included the need for those with responsibility to present effective Assignment Briefs which ensured that pupils were enabled to meet all the criteria for each Unit. Consequently, the results that were submitted to EdExcel that Year were vastly inflated. Indeed, when Witness A heard for the first time the level of "value added" within ICT BTEC Level 2 for 2011 / 2012, she went to see Mr Saunders and stated that she could not believe what she had heard.

With regard to those pupils who formed the Year 11 cohort for the academic Year 2012 / 2013 which forms the basis of the allegations, it is necessary to go back to the academic Year 2011 / 2012 when that cohort was in Year 10.

As has already been said, the Level 2 ICT BTEC is based entirely on coursework which the school had decided would be undertaken in Years 9 and 10.

At or about the same time that Witness A was relaying to Mr Saunders and others within the ICT Department her concerns with regard to the Year 11 cohort in 2011 / 2012, she was also bringing very clearly to the attention of Mr Saunders and subsequently Mr Bilsby the fact that, despite receiving detailed feedback on their Assignment Briefs from Witness A since December 2011, there was a lack of coursework and evidence to show that the current Year 10 cohort would pass the Level 2 ICT BTEC qualification.

On 25 April 2012, Witness A sent an email to Mr Saunders providing feedback on the findings of her moderation in respect of the Year 10 cohort. Having carried out assessment decisions between March and June 2012, it became clear to Witness A that the teachers responsible for BTEC delivery were failing to gather effective evidence. It was agreed with Witness C that Witness A would escalate her findings to Mr Saunders as she had found that not one of the current Year 10 pupils she had checked had achieved a pass grade.

On 13 June 2012, having been informed of the position by Witness A, Mr Saunders sent an email to the ICT teachers saying that he was,

> *"absolutely outraged that after a 2 Year course we are only now finding out that Year 10 are effectively failing their BTEC … I am absolutely lost for words that two and half weeks from work experience, with no curriculum time dedicated to this next year that Year 10 are unlikely to get the grades that I have been informed they should get …".*

A meeting took place on 15 June 2012 when Mr Saunders was described as extremely angry and was shouting at the teachers. He confirmed there would be no curriculum time allocated to the Year 10 pupils when they went into Year 11 and that "catch up" sessions would have to be put in place. It was agreed that a letter would be sent to parents informing them that "catch up" sessions would be arranged.

Whilst denied by Mr Saunders, the panel prefers the evidence of Witness A and finds that she was line managed by Mr Saunders during the academic Year 2012 / 2013.

There were 131 pupils in the ICT Level 2 BTEC who moved from Year 10 to Year 11 at the start of the academic Year 2012 / 2013 in September 2012.

On 7 September 2012, Witness A sent an email to the ICT Department which was copied to Paul Bilsby, Kevin Saunders and Andrew Wallace. In the email, Witness A said:

> *"Also, our results may well come under scrutiny by EdExcel this Year (particularly as a result of the huge value added measure last Year) and so there can be no similar "rubber stamping" this time. I have looked at samples of that previous*

cohort and several of your decisions, particularly at distinction level, are unsound so please all use the Unit specifications to crosscheck what your students have submitted and do not only rely on checklists."

This was one of a number of emails sent by Witness A, reminding staff to carry out their own IV.

Having completed eight IVs of the Year 11 ICT Level 2 BTEC coursework in September 2012, Witness A sent an email to Mr Saunders on 24 September 2012 saying that the results did not look good.

On 25 September 2012, Witness A sent an email to Mr Saunders and Mr Bilsby confirming that all samples she had tested had failed at least one of the criteria.

On the same day, namely 25 September 2012, Witness A met with Mr Saunders and Mr Bilsby saying that it was a totally avoidable mess and served as a disservice to the pupils. She followed this with an email of the same day.

In that email, Witness A says:

"The "additional Tasks" were put together following these meetings, to correct the identified evidence shortfall and tick lists produced to help collate the additional evidence. Insufficient attention has been paid to the delivery of these new resources, the actual content produced by the students (marking) and to blatant plagiarism. I still have seen very little evidence of marking and none of internal moderation apart from my own."

As stated, for these pupils now starting Year 11, there was no provision in the timetable for them to redress the shortcomings in the ICT Level 2 BTEC coursework, hence the "catch up" sessions being arranged. Without these catch up sessions, there was no other way the pupils would be capable of producing the necessary coursework to enable them to pass, let alone get a merit or a distinction.

However, despite the emails from Witness A of 25 September 2012 to Mr Saunders and Paul Bilsby, it was announced at a Year 11 assembly that the catch up sessions had been cancelled save for a small group of 20 pupils. The panel found, on the balance of probabilities, that Mr Bilsby, Mr Saunders and Mr Wallace knew that the catch up sessions had been cancelled. Mr Bilsby and Mr Saunders were instrumental in arranging the catch up sessions. Also, as soon as the catch up sessions had been cancelled, Witness B sent an email expressing her concern. The panel finds that Mr Wallace knew of their cancellation as he had a line management role for English and the catch up sessions in ICT BTEC were cancelled to make room for similar sessions in English and Maths. Finally, all three were members of the SMT and it is not plausible that they would not have become aware of a decision of this importance.

Due to the events in June 2012 and their knowledge of the arrangement of the catch up sessions for September 2012, the panel finds on the balance of probabilities that Mr Bilsby and Mr Saunders must have known the consequences of those catch up sessions being cancelled. Even had they not worked it out for themselves, which the panel finds that they did, Witness B then sent an email on 28 September 2012 to Witness C copied to Mr Bilsby and Witness A in which she stated:

> *"… Year 11 were told during this morning assembly that they do not have to attend the after school sessions apart from a selected few, who will be advised separately by PB, please note that there are 19 of my students who are currently on a U grade."*

Later in that email, Witness B says:

> *"As you know I was disappointed and surprised by this decision because this will have a major impact on my VA as a subject teacher through no fault of mine. … however, it seems now that I'm going to be penalised for my professional approach whilst other members of the department who didn't take the same approach – and awarded Pass Merit and Distinction like sweets – will now be rewarded with a VA which will exceed mine."*

Tellingly, at a meeting called a twilight session on 1 October 2012, Mr Bilsby told Witness B in an aggressive manner in front of other members of staff that he was going to take control of the results in ICT BTEC Level 2 and that all pupils would achieve at least a pass.

On 30 September 2012, Witness A sent an email to Mr Saunders expressing her concerns at the cancellation of the catch up sessions. In the same email, Witness A offered to carry out further verification but Mr Saunders responded as follows:

> *"Ultimately, I could insist that all work is checked for each member of staff and go with that figure, which will result in a massive dip for the school, and all of the ICT teachers".*

The panel rejects the suggestion of Mr Bilsby that the catch up sessions in September 2012 had been cancelled so that IV could take place. IV of several pupils' work had already been undertaken which showed a complete lack of evidence to support grades and Witness A had already provided clear written guidance on what was required.

On 23 October 2012, Witness A sent an email to Paul Bilsby, who had chosen a second sample for verification. Witness A indicated that the sample he had chosen was not representative and could be misleading. Mr Bilsby insisted that this sample would be used for IV. The panel finds that he did so in the mistaken belief that the school could nominate pupils for the sample. However, having carried out IV in respect of that sample in respect of Unit 1, Witness A sent an email to Mr Saunders saying "the work is

generally very poor quality and it appears there has been no attempt to correct the shortfall of evidence for any of the criteria". Witness A subsequently sent an email to Mr Bilsby, copied to Mr Saunders, with the results of her verification of the sample.

On 6 December 2012, Witness A sent an email to Mr Saunders in relation to the Unit 2 sample expressing the same concerns and this was acknowledged by Mr Saunders.

In January 2013, an external verifier, Individual E, from EdExcel requested a sample from a group of Year 11 ICT BTEC Level 2 pupils which was eventually sent through in March 2013. The purpose of Individual E's request was for her to assess the processes in place at the school. This request was sent by email of 7 January 2013 to Mr Wallace. Mr Wallace then forwarded that email to Witness A who, in a reply dated 8 January 2013, says,

> *"well you have seen my IV of documents for the IT dept. at Level 2 – you reap what you sew!!! It was only a matter of time and I have been shouting it from the rooftops.*
>
> *I don't know how you will want to manage this one!".*

On 9 January 2013, Mr Wallace asked to speak with Witness A. That meeting took place because Witness A referred to it in her email of 9 January 2013 when she recommended that Mr Wallace notified Mr Saunders about the request from Individual E for an IT sample. Mr Wallace replied confirming that Mr Saunders was aware that the school was being sampled, having spoken to him that afternoon. It was in the course of that meeting that Witness A stated, and the panel finds, that Mr Wallace asked her to change the date on her IV assessments in order to make the situation look better but she refused to do so.

On 25 February 2013, Mr Wallace sent to Witness A the Quality Review and Development ("QRD") document to be used at the annual Quality Assurance visit from EdExcel the following day.

Mr Wallace had written on this QRD document that last Year's results were "outstanding" but Witness A sent an email to Mr Saunders to say that the results in ICT BTEC were far from outstanding and that she would not endorse such a description.

In a response, Mr Saunders says *"his comments will be based on actual results, which on paper are excellent, even [if] evidence behind them is thin".*

On 25 February 2013, Witness A sent an email to Mr Wallace saying that his comments that results were outstanding could be misleading.

In March 2013, a spreadsheet of grades was sent by Witness C to Individual E who found that the work had been assessed accurately. However, it showed that most, if not all, of the 131 pupils in that cohort were failing the Unit she had chosen to assess.

Witness A endeavoured to get hold of that spreadsheet. Her intention was to be able to ascertain whether any of the grades which would be submitted for certification in July 2013 had changed since the sample for external verification had been prepared in March 2013.

On 27 June 2013, Mr Bilsby sent an email to Witness C to which was attached the centralised spreadsheet of grades, asking her to check them and then to submit them to the exams officer.

On receipt of the email, Witness C endeavoured to contact Mr Bilsby, leaving a voicemail and a post-it on his desk.

On Sunday 30 June 2013, Witness C sent an email to Mr Bilsby confirming that she had tried to speak to him and asked him to confirm that he was happy for the list to be sent to the exams officer.

In an email from Mr Bilsby to Witness C on 30 June 2013, he states:

> *"[redacted]*
>
> *The list is correct. M and P have both left school and H did not complete the course.*
>
> *These grades are the final grades.*
>
> *We must be very careful now with [redacted]; as to my knowledge no further work was done with Year 11. We must make sure that if she has to do another IV that all work we give her is absolutely at the grade we have submitted. Please atlk to me about this before we give [redacted] any information.*
>
> *Paul". (sic)*

Witness C informed Witness A that Mr Bilsby had sent her the spreadsheet of results and that she had been told to produce coursework for Witness A to match the grade on the spreadsheet. She did not do so but it was not until 1 July 2013 that Witness A obtained the spreadsheet that had been submitted in July 2013 to EdExcel with the final grades.

The final July 2013 spreadsheet which showed the results which had been sent to EdExcel bore no comparison to the spreadsheet which had been submitted in March 2013. In the absence of catch up sessions, there had been no mechanism by which the pupils could have prepared the coursework which would have justified the grades.

As the work was not present on the pupils' coursework folder, Witness A checked their user area online but there was no additional work there either.

Witness A had prepared a spreadsheet and a table summary showing the grades that went to EdExcel in July 2013 and the grades Witness A had determined through her IV in March 2013. The table summary illustrated the following: in March 2013, the samples showed, with one exception, that all Units had been failed. The grades for the same pupils submitted in July 2013 showed that all pupils had passed and that all but one pupil achieved either a merit or a distinction.

Witness C stated, and the panel finds, that it was Mr Bilsby who created the spreadsheet of grades which were submitted to EdExcel. The panel has considered the metadata attached to the spreadsheet which showed that Mr Bilsby had created the document which had been modified by him on 27 June 2013.

Witness A continued to press for the spreadsheet of grades which had been submitted.

In a further email from Mr Bilsby to Witness C of 2 July 2013, he says:

> *"[redacted],*
>
> *The more I think about [redacted]'s request for an IV sample the more I feel we should oblige.*
>
> *The sample size will not be large as time will not allow. I have a few questions for you:*
>
> *1. What do the folders for Year 11 look like?*
>
> *2. How easy is it to "manufacture" work to make sure folders for sampling meet criteria?*
>
> *We do need to act now. I am beginning to look unprofessional if I do not provide [redacted] with this information!!*
>
> *Paul"*

The panel considers that this email illustrated that, even though Mr Bilsby had included the grades in the spreadsheet which he required Witness C to submit, he had no idea what was contained within the folders for Year 11. It also suggests that he is enquiring whether it would be possible to create work to make it look as if the content of the folders justified the grades.

Witness A finally obtained the spreadsheet from the exams officer as opposed to Mr Bilsby or Witness C.

At 3.28 am on 11 July 2013, Witness A sent an email to Mr Saunders which states that, while the internal record of the teacher assessment for a particular pupil was accurate i.e. "no pass". That same pupil had been included in the spreadsheet created by Mr Bilsby for submission to EdExcel and had been awarded a Merit grade. Witness A had contacted the teachers of those pupils whose grades had been submitted and the teachers had given different, lower, assessments.

Witness A stated that EdExcel should be informed and she also confirmed that she would tell EdExcel that her role as Lead IV for BTEC IT would end at the end of the Year, *"as I find my position to be untenable …".*

It had been suggested by Mr Saunders that he did not receive certain of Witness A's emails. The panel rejects such a suggestion. There are examples of occasions when Mr Saunders did respond to her emails. Also, even though Mr Saunders suggested that he had not received Witness A's email of 3.28 am on 11 July 2013, he actually came to Witness A's classroom at 8.30 am the same day asking whether she had reported the matter to the exam board. When she said that she had not, Witness A said that Mr Saunders had to report what had happened and he said that she should leave it with him.

On 16 July 2013, Witness E of Pearson Plc asked Witness D to attend the school following a whistleblowing letter having been received containing allegations of plagiarism and falsification of grades.

Pearson Plc ("Pearson") was described by Witness E as a large educational company which owns a number of other companies including Edexcel. Edexcel is the qualification brand and awarding body for GCSEs, A levels and BTEC.

The instruction was for Witness D to collect records of pupils from the list of registrations on the BTEC Level 2 ICT qualification.

Having arrived unannounced, Witness D asked to speak to Mr Wallace as the Quality Nominee of the school. Having been told that Mr Wallace was not available, Witness D asked to see Witness A but she was told that Witness A was also unavailable even though Witness A was actually on site. The PA to Mr Saunders, Individual F, came to see her and Witness D explained the purpose of her visit. Shortly thereafter, Mr Saunders came to see her and he assured her that the information she had requested would be made available as soon as possible.

At this time, Witness B was in the ICT suite with Witness A when Mr Bilsby came into the room. He said he was looking for Witness C. Later, Witness B went into the ICT office to find that Mr Saunders, Mr Bilsby, Witness C and another Vice Principal, Individual G, were in the office. Whilst disputed by Mr Wallace, Witness B stated that Mr Wallace was popping in and out and at one stage, another Vice Principal, Individual D, came upstairs as well. Mr Wallace said in his oral evidence that he had not been in the office that day,

having had a medical appointment. However, in the record of his interview with Pearson, he confirmed that he came into school albeit towards the end of the day. Whilst Mr Wallace on a number of occasions indicated in his answers to questions that he was unable to remember events which occurred over five years ago, in this instance he invited the panel to find that his recollection when giving oral evidence was more reliable than answers he gave at an interview only seven weeks after the day in question. The panel finds on the balance of probabilities that Mr Wallace did attend the school on 16 July 2013 but at the end of the day, Witness D having already left.

Mr Saunders was talking to Mr Bilsby and Witness B describes them as looking, "panicky".

Witness C had open in front of her the centralised BTEC spreadsheet prepared by Mr Bilsby and sent to Edexcel. Witness B noticed that one of her pupils had been awarded a merit even though she knew that the pupil had not turned up to any of the catch up sessions and, when she checked his folder, there was no work in it. Witness C was telling them what results the pupils had been given and Mr Bilsby was pulling the folders of those pupils out and instructing Witness B to pull out other pupils' folders. Mr Saunders was in the office and was looking over Witness C's shoulder to look at the results.

As stated, the panel has found that Mr Bilsby had made changes to the centralised spreadsheet which he had forwarded to Witness C for her to forward to the exam board. Witness C realised that a number of the grades had been fabricated with pupils receiving passes and merits when they had not completed any of the coursework. Witness C said that Mr Bilsby had instructed her to send the spreadsheet even though she had highlighted that the spreadsheet was not an accurate account of the pupils' results.

Witness B stated, and the panel found, that at this stage, in the presence of Mr Saunders, Mr Bilsby instructed Witness B and a colleague, Individual H, to take work out of the folders of pupils who had met the criteria in order to copy or reprint it, having changed the name of the pupil, and put it in the folders of the pupils whose work Witness D wished to see.

One of the pupil folders Witness D had requested was the pupil who had been taught by Witness B and who Witness B said had not done enough work to justify a pass let alone a merit. Witness B was required to physically log on to a different pupil's folder, delete his name and change it to the name of the pupil whose work had been requested by Witness D. Paul Bilsby told them, "just get it done" or words to that effect and Mr Saunders was walking in and out of the room whilst this was happening.

When this had been done, Mr Bilsby sent Witness B to see Witness D to hand over the first batch of coursework to her. By this time, Witness D had been waiting for almost two hours. Witness D stated to Witness B that she would have liked to have spoken to Witness A but had been told that she was not there. However, Witness B told her that

Witness A was in the building. Witness D asked Witness B to go and get Witness A. On her way to do so, she mentioned to Individual D that she had told Witness D that Witness A was in the school at which point he said, "oh fuck" or words to that effect. She asked if she had done anything wrong and he said that she was not to know.

Before going down to see Witness D for a second time, Mr Saunders was standing with Witness C and Individual H who were again printing coursework off and Witness C was clearly upset. The panel accepted Witness B's evidence and that of Witness C that it was a very intimidating environment within the ICT room.

Witness B confirmed that the results on the spreadsheet did not reflect the work in the folders and when she handed the folders to Witness D, she was upset and she and Witness A asked if she was alright. It was at this point that Witness B told Witness D that she had been pressured into falsifying the documentation.

Subsequently, Witness A confirmed to Witness D that she had informed Mr Saunders and Mr Bilsby of her concerns for some time. Witness A showed Witness D her own internal verification tracking records on her laptop. When comparing individual work that had been brought to the room, Witness A was able to show Witness D how some of the work that had been added to folders was that of other individuals. She did this by looking at their user area and comparing this with what had been originally submitted. Witness A stated, "you ought to know they are upstairs photocopying evidence for you as we speak".

In the course of the day on 16 July 2013, Mr Saunders had asked Witness C if there was work in the folders to back up the grades sent to EdExcel to which she replied, "absolutely not". His answer was, "we are fucked".

Mr Saunders came to speak with Witness D to check that she had everything she had requested. Witness D confirmed that the work was not accurate in terms of assessment and IV and that there was evidence of plagiarism. Witness D left the school and subsequently provided the information she had gathered to Witness E who then carried out an investigation.

Indeed, on the same day as Witness D's visit on 16 July 2013, Witness E who, at the time, was an Investigations Manager at Pearson Plc, wrote to Mr Saunders setting out her concerns and instructing Mr Saunders to, "quarantine all BTEC Level 2 ICT work in order for EdExcel to review the work.".

An EdExcel standards verifier then reviewed the quarantined work and found that none of the sampled work met the required standard. There were a high number of distinctions but work to that level was not present.

A total of 131 certificates for the BTEC ICT Level 2 cohort i.e. all the pupils taking that qualification, were invalidated.

Witness E was aware that Mr Wallace had taken on responsibility for carrying out an internal investigation into what had taken place.

Mr Wallace stated that he had taken responsibility to investigate the matter although he suggested that he was not clear about what he was precisely required to do and received no guidance from EdExcel.

Subsequently, Mr Saunders and Mr Bilsby held a meeting with Witness A and Witness C in the ICT Department and suggested that the explanation that would be provided to Pearson was that the spreadsheet containing the false grades submitted in July 2013 had been a mistake. However, Witness C stated that it was impossible for the grades to be a mistake as the Year 11 cohort had not been taught Level 2 BTEC ICT during the academic Year 2012 / 2013 and had therefore done no work to justify the grades awarded to them. Mr Saunders started shouting at Witness C stating that the BTEC failures were her responsibility as head of department and he threatened the jobs of all those in the department.

On the basis of the evidence provided by Witness C, Witness A and Witness B, the panel is satisfied that there was not a valid spreadsheet showing the pupils having passed the qualification which could have been submitted, let alone submitted in error.

Subsequently, an attempt was made to withdraw the results but, as described in the investigation report prepared by Mr Wallace and submitted to Edexcel on 30 July 2013, this was not permitted by EdExcel.

It was suggested by Mr Wallace that he had not been provided with a copy of the letter that had been sent to Mr Saunders by Witness E on 16 July 2013. He also indicated that he was unable to speak with anyone prior to submitting a report to Witness E at EdExcel on 30 July 2013.

Even though Mr Wallace said that he had not been provided with a copy of the letter from Witness E to Mr Saunders of 16 July 2013, he had received an email from Witness E on 29 July 2013 which makes clear the areas of concern which needed to be investigated.

Nevertheless, Mr Wallace submitted his report on the following day.

Despite Mr Wallace suggesting that he had no meaningful contact with anyone between the commencement of his investigation and the submission of his report on 30 July 2013, and despite suggesting in his oral evidence that he had no appreciation of the seriousness of the situation, despite the email to him from Witness E of 29 July 2013, he then sends an email to the ICT staff, to include Mr Bilsby and Mr Saunders, on 8 August 2013 enclosing the report which he says:

> *"May not meet with your approval, but form the basis of my understanding, and our defence, whilst I was handling this across the last three weeks.*

You are UNDER NO CIRCUMSTANCES to make contact with EdExcel directly. To do so would be a breach of my trust and confidentiality. If you have any comments to make about any of the points made in any document, please save them for results day."

EdExcel made it clear to Mr Wallace that they were going to carry out an investigation which would involve interviewing the members of the ICT staff. In advance of those interviews taking place, Mr Wallace held a meeting at which those members of staff were present, to include Paul Bilsby, Witness C and Witness B. Individual G, Individual I and Individual H were also present. The aim of the meeting was to prepare for the EdExcel interviews and it is accepted by Mr Wallace that he attempted to influence what staff would say in those interviews and that he would "construct a narrative" following the meeting.

Mr Bilsby and Mr Saunders face the same allegations. The panel will outline its findings in respect of both respondent teachers under the same heading.

Mr Wallace faces allegations which are different to those faced by Mr Bilsby and Mr Saunders. The panel will therefore record its findings separately in relation to the allegations against Mr Wallace.

The panel has made the following findings in respect of the specific allegations against Paul Bilsby, Kevin Saunders and Andrew Wallace. In reaching its findings, the panel has taken into consideration the previous good character of each teacher and the fact that the events which have given rise to the proceedings took place over five years ago.

Findings in respect of allegations against Mr Bilsby and Mr Saunders

The panel has found the following particulars of the allegations against Mr Bilsby and Mr Saunders proven, for these reasons:

1. **allowed and / or encouraged one or more members of staff to submit information regarding the ICT BTEC Level 2 to Pearson and / or EdExcel which you knew or should have known was false and / or inaccurate, including:**

    a. **in relation to the certificate claims which were made in July 2013**

The panel repeats, and relies upon, its findings of fact set out above.

Mr Bilsby had also provided a, "Statement of Agreed Facts" which he had signed on 14 March 2017.

In that Statement, Mr Bilsby admits that, in 2013 he became aware of the low level standard of BTEC Level 2 ICT and that the BTEC coursework did not support the false grades in the BTEC spreadsheet.

Mr Bilsby had known for a number of months that such coursework as may have existed on the pupils' files, if any, could not support the grades that were ultimately submitted to EdExcel in July 2013.

Mr Bilsby was aware of the catch up sessions which were arranged in September 2012 which were designed specifically to enable the cohort of pupils, who should have completed their coursework by the end of Year 10, to rectify the shortcomings in their coursework on entry into Year 11. He knew that this would have to be done through catch up sessions as the ICT Level 2 BTEC did not form part of the timetable in Year 11. He knew that those catch up sessions had been cancelled. Witness B and other staff expressed their concern at the cancellation of the catch up sessions but Mr Bilsby said to Witness B on 1 October 2012 that the pupils on a U grade would, *"automatically be awarded a pass because it was not their fault that two members of staff had not done their job".*

Mr Bilsby knew in March 2013, following further internal verification by Witness A, that the entire cohort of 131 pupils would fail on the basis of what Witness A had found.

Between March 2013 and the submission of the centralised spreadsheet in July 2013, Mr Bilsby knew that there was no possibility of the pupils completing the coursework which would have entitled them to a pass, let alone a merit or distinction.

The metadata shows that it was Mr Bilsby who worked on the centralised spreadsheet on 27 June 2013 and the panel finds that it was Mr Bilsby who entered the grades for each pupil on that centralised spreadsheet.

Mr Bilsby sent that centralised spreadsheet to Witness C on 27 June 2013 saying, *"can you please check the following spreadsheet of grades and then forward to Teresa in the exams office?*".

On 30 June 2013, Witness C sent an email to Mr Bilsby confirming that she had not given the spreadsheet to the exams officer. She stated that she had left a voicemail and a post-it note on Mr Bilsby's desk on 28 June 2013 that she wished to discuss the spreadsheet with him before she took any action. She then asked Mr Bilsby to confirm that he was happy for her to email the list to the exams officer.

It is worth repeating the reply Mr Bilsby sent to Witness C later that day:

> *"[redacted]*
>
> *The list is correct. M and P have both left school and H did not complete the course.*
>
> *These grades are the final grades.*

We must be very careful now with[redacted]; as to my knowledge no further work was done with Year 11. We must make sure that if she has to do another IV that all work we give her is absolutely at the grade we have submitted. Please atlk to me about this before we give [redacted] any information.

Paul"(sic)

In a subsequent email to which the panel has already referred, he asks Witness C how easy it would be to "manufacture" coursework.

The panel has considered Mr Bilsby's response set out in the written submissions sent on his behalf, in particular the content of paragraphs 12 to 18, but rejects his explanation in its entirety. It represents a most unattractive and implausible attempt to shift responsibility on to other members of staff. It is also contrary to the documentary evidence that has been produced.

There is overwhelming evidence that Mr Bilsby deliberately inserted grades for the pupils in the centralised spreadsheet which he knew to be false. The suggestion that the spreadsheet was sent to EdExcel by mistake is rejected. First, this was a suggestion which was concocted by Mr Saunders in discussion with Mr Bilsby following the visit by Witness D on 16 July 2013. Secondly, it is entirely inconsistent with the exchange of emails between Witness C and Mr Bilsby on 30 June 2013 before the list was sent by Witness C to the exams officer on 1 July 2013. Thirdly, the metadata shows that it was Mr Bilsby who had altered the centralised spreadsheet on 27 June 2013.

The panel therefore finds that Mr Bilsby encouraged Witness C and allowed the exams officer to submit in July 2013 certificate claims regarding the ICT BTEC Level 2 to EdExcel which he knew was false and inaccurate.

On this basis, the panel finds the facts of particular 1a, as against Mr Bilsby, proved.

Turning to Mr Saunders, again the panel had taken into consideration his written submission. However, his written submission is wholly inconsistent with the chronology of events and the written and oral evidence which had been presented to the panel.

The panel has found that Mr Saunders had been involved in the progress of the ICT BTEC Level 2 Year 11 cohort from at least early 2012.

Mr Saunders was Witness A's line manager. There are numerous emails from Witness A to Mr Saunders expressing her concern at what was happening within the ICT department, the resistance of the "point holders" Individual B and Individual C to implement her recommendations following her IV, and the extremely high "value added" of the results of the Year 11 cohort in the academic Year 2011 / 2012. Indeed, Witness A confronted Mr Saunders when she found out the grades which had been awarded to that cohort.

Mr Saunders was directly involved when it became apparent that the cohort in Year 10 in the academic Year 2011 / 2012 were all projected to fail. It was Mr Saunders who sent a strong email to ICT staff expressing his outrage and he then became angry and shouted at the staff at a subsequent meeting. It was Mr Saunders who supported an Action Plan to put matters right and was aware of the letter being sent to parents informing them that catch up sessions would be arranged to begin at the start of the next academic year in September 2012.

The panel finds that Mr Saunders either took, or was aware of, the decision to cancel those catch up sessions and therefore the panel finds that he must have known that there was no mechanism by which the pupils could catch up with their coursework as ICT BTEC Level 2 did not form part of the timetable in Year 11.

Witness A continued to keep Mr Saunders informed of her concerns. Indeed, in March 2013, both Mr Bilsby and Mr Saunders were made aware that, as at that time, the internal verification illustrated that the entire ICT BTEC Level 2 cohort would fail.

It is simply not plausible for Mr Saunders, as Principal, and taking account of his active participation over the previous months, to suggest that he was unaware of what Mr Bilsby was doing.

As stated, it was Mr Saunders who wished to suggest that the incorrect grades had been sent to EdExcel by mistake but this discussion only took place following the visit of Witness D on 16 July 2013.

The panel finds, on the balance of probabilities, that Mr Saunders allowed Mr Bilsby, and thereby Witness C and the exams officer, to submit to EdExcel in July 2013 certificate claims which he knew to be false and inaccurate.

On this basis, the panel finds the facts of particular 1a, as against Mr Saunders, proved.

b. in relation to the learner portfolios which were provided during the course of a quality visit on 16 July 2013

The panel repeats, and relies upon, its findings of fact as set out above.

The panel finds the evidence of Witness D, Witness B, Witness C and Witness A of what took place at the school on 16 July 2013 to be compelling and consistent.

Witness D was forced to wait over two hours before she received the documentation to which she was entitled. Her evidence of Witness B coming to see her in a distressed state and explaining what she had been instructed to do by Mr Bilsby is entirely consistent with Witness B's evidence of what she and other members of staff were being instructed to do by Mr Bilsby in the ICT Department. Witness D was also misled as to the whereabouts of Witness A.

The panel finds, on the balance of probabilities, that Mr Bilsby instructed Witness B and Individual H to change the name on one pupil's coursework to the name of a pupil whose folder had been requested by Witness D. They were then instructed to print out those documents and place them on that other pupil's folder with the intention of holding out that work as his own. This was a blatant attempt to falsify documents in order to mislead EdExcel.

The panel finds that, during the course of a quality visit on 16 July 2013 by Witness D of Pearson, Mr Bilsby allowed and encouraged Witness B and Individual H to submit learning portfolios regarding the ICT BTEC Level 2 to Pearson knowing them to be false and inaccurate.

The panel therefore finds the facts of particular 1b as against Mr Bilsby proved.

The panel had also considered the role of Mr Saunders during the visit of Witness D on 16 July 2013. It was Mr Saunders who went to see her to find out what she wanted. He then went to see her at the end of the visit to find out whether she had received everything that she had requested. In between those two discussions with Witness D, he had been in the ICT department and the panel is entirely satisfied that he knew exactly what was being done by Witness B and Individual H on the instruction of Mr Bilsby. Indeed, the panel is satisfied that other members of the SMT were also aware of Witness D's visit and its purpose. Witness B and Witness C gave clear and consistent evidence, which the panel accepted, that Mr Saunders was present at all material times when names of pupils were being changed on coursework and placed in folders with the aim of deceiving Witness D and thereby Pearson and EdExcel.

The panel has already found that it was later that day that, at a meeting between Mr Saunders, Mr Bilsby and Witness A, it was suggested by Mr Saunders that the spreadsheet with the false grades submitted in July 2013 could be explained as a mistake when it clearly was not. This was further evidence, which the panel had accepted, of Mr Saunders' participation in the events which took place on 16 July 2013.

In addition, in an email from Witness A to Mr Saunders on 11 July 2013, Witness A makes it clear that she had found no evidence to support the grades which had been submitted to EdExcel and that EdExcel should be informed of the, "potentially anomalous results we have sent them." It is also in this email that Witness A tells Mr Saunders that she intended to stop as Lead IV for BTEC IT as she found her position to be "untenable".

Consequently, whilst the panel has already found that Mr Saunders was fully aware of the issues already, there can be no doubt that, only five days before Witness D's visit, Mr Saunders had been told in explicit terms of the concerns held by Witness A with regard to the integrity of the information which had been sent to EdExcel.

Taking account of Mr Saunders' level of involvement, the panel is satisfied that he allowed and encouraged Mr Bilsby, Witness B and Individual H to submit, in the course of a quality visit on 16 July 2013 by Witness D, learner portfolios regarding the ICT BTEC Level 2 to Pearson and EdExcel which he knew were false and inaccurate.

On this basis, the panel found the facts of particular 1b as against Mr Saunders proved.

2. failed to take any, or any appropriate action to correct the false and / or misleading impression which was being given to Pearson and / or EdExcel in relation to issues concerning the ICT BTEC Level 2 following the quality visit on 16 July 2013

The panel finds that, following the quality visit on 16 July 2013, Mr Bilsby failed to take any action to correct the false and misleading impressions which were being given to Pearson and EdExcel in relation to the issues concerning the ICT BTEC Level 2.

Mr Bilsby participated in a meeting convened and led by Mr Wallace on 29 August 2013 at which he made no effort to suggest that Pearson and EdExcel should be informed of the false and misleading impression it had been given with regard to both the grades and the learner portfolios which formed the facts of particulars 1a and b above. Indeed, on reading the transcript, and listening to the recording, of that meeting, it is clear that the aim was to deflect attention away from providing Pearson and EdExcel with a true account of what had occurred.

The panel also took into consideration Mr Bilsby's participation in a meeting with Mr Saunders and Witness A following Witness D's visit on 16 July 2013 when Mr Saunders said, in the words of Witness A, that, "the defence would be that they would claim the spreadsheet was sent in error.".

On this basis, the panel finds the facts of allegation 2 as against Mr Bilsby proved.

As for Mr Saunders, the panel repeats that it was he, in a meeting with Mr Bilsby and Witness A following Witness D's visit on 16 July 2013, who suggested that their defence would be that the spreadsheet sent to EdExcel on 16 July 2013 was sent in error. Both Mr Bilsby and Mr Saunders knew that this was false and that the false grades had been included in the centralised spreadsheet by Mr Bilsby who then instructed Witness C to send them to the exams officer, describing them as, "the final grades".

Whilst Mr Saunders was not in attendance at the meeting on 29 August 2013, he nevertheless knew that false grades had been submitted in July 2013 and he knew that, on 16 July 2013, pupils' coursework was being falsified. Nevertheless, he took no steps to notify Pearson and EdExcel of what had taken place.

The panel also took into consideration the emails from the Lead IV, Witness A, to Mr Saunders telling him that he needed to make EdExcel aware of the position.

On this basis, the panel finds the facts of allegation 2 as against Mr Saunders proved.

3. **your behaviour as may be found proven at 1 and / or 2 above lacked integrity and / or was dishonest.**

The panel repeats, and relies upon, its findings of fact as set out above.

The panel has found that both Mr Bilsby and Mr Saunders knew that certificate claims were submitted in July 2013 to Pearson and EdExcel which they knew were false.

The panel has also found that both Mr Bilsby and Mr Saunders were parties to the activities on 16 July 2013 when, with Mr Saunders's knowledge, Mr Bilsby instructed members of the ICT staff to falsify pupils' coursework with the aim of misleading Pearson and EdExcel into believing that the false grades which had been submitted in July 2013 were supported by the fabricated coursework.

On this basis, the panel is satisfied that this amounted to a serious breach of the ethical standards of the teaching profession and finds that both Mr Bilsby and Mr Saunders had acted with a lack of integrity.

On the same basis, and having found it proved that both Mr Bilsby and Mr Saunders knew that the certificate claims submitted in July 2013 were false and the learner portfolios were fabricated during the course of Witness D's visit on 16 July 2013, such conduct is, by the standards of ordinary decent people, dishonest.

Consequently, the panel finds allegations 3 as against Mr Bilsby and Mr Saunders proved.

Findings in respect of allegations against Mr Andrew Wallace

1. **submitted information regarding the ICT BTEC Level 2 to Pearson and / or EdExcel which you knew or should have known was false and / or inaccurate, including by submitting an investigation report which:**

    a. **suggested that you had discussed matters with "ICT staff", when that was not the case**

The panel repeats, and relies on, its findings of fact as set out above.

Mr Wallace had submitted a written account and he had also attended to give evidence. In reaching its findings, the panel had taken into consideration his previously good character and also the fact that the events which are under consideration took place over five years ago.

However, the panel did not find Mr Wallace to be either a credible or reliable witness. For example, when giving his evidence, he accepted that he was making the statements in

the investigation report he submitted to Pearson on 30 July 2013 without knowing whether the statements were accurate, saying that he had not had time to investigate properly. The panel also found it unconvincing when Mr Wallace said that he was not sure that he knew at the time how serious the Pearson investigation was. This is implausible, taking account of his level of involvement, at least throughout 2013, his role as Quality Nominee, and the emails which had been sent to him either directly by Witness A or which were copied to him.

The panel also rejected Mr Wallace's assertion that he did not know with any precision what he was required to investigate. He had received emails from Witness A informing him of her concerns. It was suggested that if an email was copied to him, he may have glanced at it. He suggested that the various departments would operate as "silos". If he saw that the email was also directed to the likes of Mr Bilsby or Witness C, he said that he would not pay it any proper attention.

Nevertheless, he confirmed that the SMT would meet weekly and then, every six weeks, the SMT would assess performance across the school. As stated, Mr Wallace was also Quality Nominee although he attempted to play down its significance by saying that he was not very effective in that role; but as Quality Nominee and a Vice Principal who had involvement in the issue of the ICT BTEC Level 2 as evidenced, for example, by the email exchanges with Witness A in January 2013, the panel finds that he knew very well of the serious issues that existed.

The explanation from Mr Wallace with regard to the circumstances surrounding the exchange of emails with Witness A on 7, 8 and 9 January 2013 was wholly implausible and lacked any credibility. The exchange clearly relates to concerns with regard to the ICT BTEC Level 2 cohort and the coursework, hence the phrase *"you reap what you sew"* from Witness A. Indeed, the subject line of the emails refers directly to the sampling of ICT BTEC coursework. However, Mr Wallace suggested to the panel that when he in fact met with Witness A on 9 January 2013, it was to discuss behavioural problems with regard to two pupils.

When assessing Mr Wallace's credibility, the panel also took into consideration the fact that, in January 2013, he asked Witness A to change the dates on her IV in order to improve the appearance of the position with regard to the ICT BTEC Level 2 coursework but Witness A refused.

As for the investigation report that Mr Wallace submitted to Witness E at Pearson on 30 July 2013 ("the report"), he had not sent a draft of the report to any member of staff, to include Witness A or the head of department, Witness C, before submitting it. The panel considered that it was significant that he only sent the report to the ICT staff over a week later on 8 August 2013 as an attachment to an email in which he says

"I have also forwarded you 3 documents - …, and my report, which may not meet with your approval, but form the basis of my understanding, and our defence, whilst I was handling this across the last three weeks."

It was suggested that, as at January 2013, whilst Mr Wallace may have known of the problems that existed, he believed that there was sufficient time for the situation to be rectified. Whilst that may be true, again it clearly indicates that he was aware of the issues that needed to be resolved.

In the report, Mr Wallace wrote, at paragraph 3, "the discussion with ICT staff showed or confirmed areas of concern:"

Whilst it was claimed that Mr Wallace held a discussion with Witness C following the commencement of his enquiry on 17 or 18 July 2013, Witness C says that she did not discuss anything with Mr Wallace other than some folders of the Year 10 cohort.

Furthermore, in his statement to Witness E dated 9 January 2014, Mr Wallace said,

"On reflection, I was perhaps naïve in sending my initial report to EdExcel during the school holidays when I had not had a chance to meet with members of staff concerned who would have given me detailed picture of practices within the subject department."

Examples of reasons given by Mr Wallace for not contacting members of staff were that they were on holiday, or in the case of Witness B, she was part-time or that he did not have their telephone number. The panel did not find such excuses persuasive, nor did it accept his suggestion that he did not realise the seriousness of the situation nor that he was not aware of exactly what he needed to investigate.

The panel found the facts of particular 1a proved.

b. sought to blame problems with the ICT BTEC Level 2 on staff responsible for teaching Year 11, despite the fact that Year 11 were not timetabled for ICT that Year (as work in respect of the BTEC should have been completed when they were in Year 10):

In the report, Mr Wallace says:

"*- Year 11 had disjointed and ineffectual provision this Year; the two staff responsible for Year 11 had left as a result of poor practice being challenged in the first term of Year 11.*

- the replacement staff were not up to the task, and their contracts have not been renewed"

Mr Wallace does not name the staff members to whom he is referring although the panel finds, on the balance of probabilities, it is likely that, in respect of the first paragraph, he is referring to Individual B and individual C. However, with regard to ICT BTEC Level 2, this

would have formed part of the curriculum and timetable for the pupils in Years 9 and 10. There was no time allocated to ICT BTEC Level 2 in the Year 11 timetable. Where reference is made to the fact that the two staff members left as a result of poor practice being challenged in the first term of Year 11, the only time that was allocated to the Year 11 cohort in relation to ICT BTEC Level 2 was the "catch up" sessions which were cancelled by a decision of the SMT. As for replacement staff being, "not up to the task", Mr Wallace was not clear who those staff members were but in any event they would not have been teaching ICT BTEC Level 2 in Year 11.

Consequently, this information contained within Mr Wallace's report is inaccurate. Furthermore, as Quality Nominee and someone who had been made aware throughout the preceding months of the problems within ICT BTEC Level 2, the panel finds, on the balance of probabilities, that Mr Wallace knew this information was false.

The panel therefore finds the facts of particular 1b proved.

c. suggested that there was not an effective internal verification process, when that was not the case

The panel is satisfied that there is substantial evidence to establish that Witness A had put in place effective IV processes and had then been urging staff to follow those processes. There is also substantial evidence from Witness A, to which the panel has already referred and which it accepts, to show that she brought her concerns to the attention of Mr Saunders and Mr Bilsby and Mr Wallace. In the report, Mr Wallace is suggesting that there was no effective IV process in place whereas clearly there was a robust system in place but which was not followed.

The panel considered that the report was therefore false and inaccurate and the panel finds the facts of particulars 1c proved.

d. suggested that the data submitted as part of the claim for certificates had been submitted by mistake, when there had in fact been a conscious decision by one or more members of the Senior Management Team to submit it

Mr Wallace accepts that this was wrong but the panel had been urged not to assume that he knew at the time that it was wrong.

It was suggested that much depended on whether Mr Wallace knew that Mr Bilsby had included false grades in the centralised spreadsheet which was submitted to EdExcel in July 2013.

In reaching its decision, the panel took into consideration the following:

a) as Quality Nominee, Mr Wallace stood over the verification process of BTEC across the departments throughout the school;

b) the emails from Witness A in January and February 2013 made clear the nature of the problems;

c) in June 2012, a meeting was held within ICT BTEC to address the failures that existed and what needed to be done to remedy the situation;

d) an action plan was put in place to enable pupils to complete their coursework via "catch up sessions";

e) In September 2012, those catch up sessions were cancelled as there was a need by the school to focus on English and Maths where extra support was required. English fell under Mr Wallace's remit. The implications of cancelling the catch up sessions were, in the panel's judgement, obvious;

f) Mr Wallace had to manage the issues relating to ICT BTEC Level 2 through the verification visit undertaken by Individual E on behalf of EdExcel in January 2013;

g) Individual E came into the school for that visit and Witness A had submitted an IV report illustrating the issues;

h) Mr Wallace was sufficiently conscious of the seriousness of the issues to ask Witness A to change the dates in her IV;

i) Mr Wallace was aware of the concerns regarding the high value added in ICT BTEC Level 2 of the previous year. He described it as "through the roof";

j) there was a major concern throughout members of the SMT when Witness D visited the school on 16 July 2013 which then led to his investigation and then to his report;

k) whilst Mr Wallace denied it when he gave evidence, in his interview on 2 September 2013 with Witness E, he stated that, whilst he had not been at school during Witness D's visit due to a personal appointment, he "… came in later.";

l) As Quality Nominee, and as someone who had clearly been involved throughout 2013, and as someone who had said that the "value added" of the previous cohort was "through the roof", he has provided no reasonable explanation to reconcile the extraordinary results of the previous cohort with the wholesale failure of the cohort in 2012 / 2013;

m) The panel considered it was significant that, when he disclosed the report to the ICT staff, he knew that it would not meet with their approval.

The panel considered it was entirely implausible and lacking in credibility for Mr Wallace to suggest that, taking account of his level of involvement and his knowledge of the problems that existed, he would not have held any discussions at all with either Mr Saunders or Mr Bilsby about what had actually taken place. This includes Mr Bilsby deliberately submitting false information and the plan devised by Mr Saunders and Mr Bilsby following Witness D's visit on 16 July 2013 to suggest to EdExcel that the submission of false grades in July 2013 was a mistake.

Had he not held such discussions, and been party to the plan devised by Mr Saunders and Mr Bilsby, the panel finds Mr Wallace could not have known to suggest to Edexcel or Pearson that the data was erroneous and that it had been submitted in July 2013 by mistake.

For all these reasons, on the balance of probabilities, the panel finds Mr Wallace knew that the statement in his investigation report that the data submitted as part of the claim for certificates in July 2013 had been submitted by mistake was false.

The panel finds that Mr Wallace submitted the investigation report to Pearson and EdExcel on 30 July 2013 knowing that it was false and inaccurate. The panel therefore finds the facts of particular 1(d) proved.

On this basis, the panel finds the facts of allegation 1 proved.

2. planned and / or attempted to interfere with Pearson's investigation in relation to the ICT BTEC Level 2, including by:

a. attempting to influence what staff would say during their investigatory interviews with Pearson;

Mr Wallace admitted the facts of this particular.

It was suggested on behalf of Mr Wallace that this happened in a moment of "idiocy". The panel does not accept that this represents an accurate portrayal of what took place.

Mr Wallace had written to ICT staff on 2 August 2013, apologising for disturbing their holiday but inviting them to a meeting in order to discuss the impending interviews to be undertaken by Pearson. Originally Pearson wished to carry out the interviews on 15 August 2013 and therefore Mr Wallace asked the staff to come in to discuss the process on the previous day. The interviews were postponed and therefore the meeting with Mr Wallace did not take place until 29 August 2013.

Unbeknownst to Mr Wallace, that meeting was recorded and a transcript has been made available. Indeed, the panel also listened to the recording.

The panel is entirely satisfied that the aim of Mr Wallace was to encourage staff not to be honest and open in their interviews with Pearson. The panel notes that Mr Bilsby and

Individual G were present at that meeting. Taking account of Mr Wallace's awareness of the issues in ICT BTEC Level 2 Year 11 from January 2013, the email exchanges with Witness A and also the more recent emails sent by Mr Wallace to Individual G, Mr Bilsby and Mr Saunders as recently as 8 August 2013, it is appropriate to infer that Mr Saunders would have discussed with Individual G, Mr Saunders and Mr Bilsby the objectives to be achieved at the meeting with the ICT staff on 29 August 2013.

Members of staff such as Witness B stated that the clear indication was that Mr Wallace was encouraging them to be less than straightforward when answering questions put to them at interview by EdExcel.

Indeed, the suggestion was that there should be a collective approach rather than a referral to any individual instruction that had been provided by Mr Bilsby with the knowledge of Mr Saunders who was present on 16 July 2013 when the coursework was fabricated.

It was suggested by Mr Wallace that the ICT staff should blame inadequate supervision by Individual B and Individual C and by the people who replaced them and that it was due to lack of supervision that it was possible for one pupil's work to be used by another. This was incorrect. It was not an accurate portrayal of what actually happened and was designed to mislead the investigation by Pearson.

Later in the meeting, Mr Wallace tried to persuade the staff to say to Pearson that the submission of the false data was accidental and that the school's,

"communications systems prior to this have obviously gone awry, somewhere. So what we submitted is erroneous. I have not – they've asked me for the data that we submitted and where it came from when it was submitted and everything else, I've held off on that because I don't want to give them access to anything. However, there is a disconnect between March and June. If we call it March and June, you know when I'm talking about. But we need to have an argument for this and as a, as a non-specialist, I cannot construct that argument necessarily. I told them we made the claims incorrectly, I said in there I think [redacted] may have worked. The submissions were projections rather than actual data".

The panel considers it is appropriate to infer from that passage that Mr Wallace was fully aware that, in March 2013, data was submitted to Edexcel which showed the entire ICT BTEC Level 2 cohort as failing which he knew to be completely at odds with the data prepared in June 2013 showing each member of the cohort passing the qualification, many with either a merit or distinction. He knew that there was a need to construct an argument which endeavoured to explain such a significant anomaly.

The panel is satisfied that Mr Wallace planned and attempted to interfere with Pearson's investigations in relation to the ICT BTEC Level 2 by attempting to influence what staff would say during their investigatory interviews with Pearsons.

The panel therefore found the facts of this particular proved.

b. indicating during a meeting with staff on or around 29 August 2013 that you would "construct a narrative" following the meeting, intending that the same would be used by staff to inform their responses to questions;

There was considerable overlap between particulars 2a and 2b. Mr Wallace had admitted that he attempted to influence the way in which staff should approach their interviews with Edexcel and it is irrefutable that he also says on more than one occasion that, in order to assist the staff in their preparation for the interviews by EdExcel, at the end of the meeting, *"it's my intention to construct a narrative with Paul, to fit what we all agree within the next 20 minutes or so."*

He said later, *"so, for the rest of us, we'll construct the narrative, which will emphasise the things we do now. So, emphasise the positive things and it'll have some defences for any questions they'll ask us that are awkward and difficult."*

Witness B then said, *"sorry, that narrative, that all of us are gonna go by?"*

Mr Wallace replied, *"I think so, [redacted]. Because, I think if we start having our own narrative, we're open to – yeah but, my colleague said. And we're not gonna record those meetings."*

Later, Mr Wallace said:

> *"here's a few things then that I wanna get through and then Paul and I are going to construct some sort of … or I I'll construct the narrative, I'll run it past Paul to mark and then I'll run it past you guys through emails."*

There is then reference by Mr Wallace to the aim of *"closing down"* the investigation of EdExcel and to steer EdExcel towards the impact on the pupils and the future rather than what had happened.

Later in the meeting, Mr Wallace said:

> *"I think we need that because, nothing would be worse. Presenting there is no scheme of work wouldn't make us look terribly good at all. I don't know if there are a, I know often BTEC websites there are exemplars and things like that. It may be that we cobble something together from what exists and … I don't know. But, what*

we don't want, we don't want to put something in front of them that will look really daft."

Later, he said, *"right, I'm gonna prepare an agenda for Monday and I'm gonna prepare a narrative alongside Paul."*

Finally, Mr Wallace said, *"er some of these I didn't answer in there because I thought if I … I, I'm gonna drop myself and us in it if I answer things the way I think I … but I answered the ones I did figured we could pick up. …I'm gonna construct another report, send it off to everybody."*

On this basis, the panel finds the facts of particular 2(b) proved.

3. your behaviour as may be found proven at 1 and / or 2 above lacked integrity and / or was dishonest

The panel repeated, and relied on, its findings of fact above.

With regard to allegation 1, the panel had found the facts of each particular proved.

The panel had concluded that Mr Wallace knew elements of the investigation report which he submitted were false and inaccurate. To submit such a report in relation to issues of such seriousness to the examining body represents a serious breach of the ethical standards expected of the teaching profession. Mr Wallace had accepted that he had submitted the report without ensuring its accuracy. He had also submitted the report without any consultation with members of the ICT staff. He must have known that, if he had consulted with them, the report that he would have had to have prepared would have been different in its content. This is borne out by his remark when he subsequently sent the report to the ICT staff that it*, "may not meet with your approval".*

The panel therefore finds that Mr Wallace's behaviour in submitting the report lacked integrity.

On the basis of the panel's findings as to Mr Wallace's actual state of knowledge or belief as to the facts when he submitted the report, the panel concludes that, by the standards of ordinary decent people, his conduct was also dishonest.

As for allegation 2a, Mr Wallace had admitted that he had attempted to influence what staff would say during an investigatory interview with Pearson. He admitted that in doing so, this amounted to a lack of integrity.

As for allegation 2b, the panel was entirely satisfied that his aim in constructing a narrative was that it would be used by staff to inform their responses to questions from EdExcel. The fact that he ultimately did not construct a written narrative, and distribute it to staff, is not relevant.

The panel considers that what is alleged at particulars 2a and 2b are very much interlinked.

In reaching its decision, the panel considers that it was important to base its decision on the entirety of what was said at that meeting. It was suggested on behalf of Mr Wallace that this was a moment of idiocy or the behaviour of someone who was "deluded". The panel does not agree. When what was said by Mr Wallace throughout that meeting is taken as a whole, the panel considered that only one conclusion can be reached and that this was a serious attempt to subvert the investigation by Pearson and EdExcel by giving clear directions to ICT staff on what they should and should not say. Indeed, when Witness C attempted to contradict what was being said by Mr Wallace, and when she endeavoured to indicate what she considered to be the true position, Mr Wallace sought to persuade her to fall in line with his approach with a warning that, otherwise, it could rebound on her.

In addition, his knowledge of the need to construct an argument to explain the difference in results in March and June 2013 is also highly significant.

Consequently, on the balance of probabilities, and based on its findings of the actual state of mind as to the knowledge or belief as to the facts which have been established, Mr Wallace's conduct not only illustrated a lack of integrity but was also, by the standards of ordinary decent people, dishonest.

The panel therefore finds allegation 3 proved.

Findings as to unacceptable professional conduct and/or conduct that may bring the profession into disrepute in respect of Mr Bilsby

Having found the allegations against Mr Bilsby to have been proven, the panel has gone on to consider whether the facts of those allegations amount to unacceptable professional conduct and conduct that may bring the profession into disrepute.

Whilst it noted, and had taken into account, Mr Bilsby's admission in respect of unacceptable professional conduct and conduct likely to bring the profession into disrepute, the panel recognised that this was a matter for its judgement.

In carrying out its deliberations, the panel had had regard to the document "Teacher Misconduct: The Prohibition of Teachers", which the panel referred to as “the Advice”.

The panel is satisfied that the conduct of Mr Bilsby in relation to the facts found proven, involves breaches of the Teachers’ Standards. The panel considers that by reference to Part Two, Mr Bilsby is in breach of the following standards:

- Teachers uphold public trust in the profession and maintain high standards of ethics and behaviour, within and outside school;

- Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach;

- Teachers must have an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities

The panel finds that the conduct of Mr Bilsby fell significantly short of the standards expected of the profession.

The findings of misconduct are particularly serious as they include a finding of dishonesty on the part of a Vice Principal. It involves a course of conduct which includes fabrication of information, both in terms of completion of a spreadsheet containing grades falsely awarded to pupils to which they were not entitled, and the fabrication of coursework, which was designed to mislead the statutory authorities with regard to an important element of the pupils', and thereby the school's, performance. It also involves the provision of instructions to more junior members of staff to conduct themselves in a way which Mr Bilsby and they knew to be wrong and then attempting to pass responsibility onto others.

The panel was satisfied that the conduct of Mr Bilsby amounted to misconduct of a serious nature which fell significantly short of the standards expected of the profession. He had acted dishonestly and such dishonest conduct had been extensive.

Accordingly, the panel was satisfied that Mr Bilsby was guilty of unacceptable professional conduct.

The panel had taken into account how the teaching profession was viewed by others and considered the influence that teachers may have on pupils, parents and others in the community. The panel had taken account of the uniquely influential role that teachers can hold in pupils' lives and that pupils must be able to view teachers as role models in the way they behave.

The panel therefore found that Mr Bilsby's actions constitute conduct that may bring the profession into disrepute.

Findings as to unacceptable professional conduct and/or conduct that may bring the profession into disrepute in respect of Mr Saunders

Having found the allegations against Mr Saunders to have been proven, the panel has gone on to consider whether the facts of those allegations amount to unacceptable professional conduct and conduct that may bring the profession into disrepute.

Unlike Mr Bilsby and Mr Wallace, Mr Saunders had not admitted the facts of any of the allegations nor, therefore, that he was guilty of unacceptable professional conduct or conduct that may bring the profession into disrepute.

In carrying out its deliberations, the panel had had regard to the document "Teacher Misconduct: The Prohibition of Teachers", which the panel referred to as “the Advice”.

The panel is satisfied that the conduct of Mr Saunders in relation to the facts found proven, involves breaches of the Teachers’ Standards. The panel considers that by reference to Part Two, Mr Saunders is in breach of the following standards:

- Teachers uphold public trust in the profession and maintain high standards of ethics and behaviour, within and outside school;
- Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach;
- Teachers must have an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities

The panel finds that the conduct of Mr Saunders fell significantly short of the standards expected of the profession.

The findings of misconduct are particularly serious as they include a finding of dishonesty on the part of a Principal of a school. The panel has found that Mr Saunders was involved in the submission of false information to an examining board and the fabrication of coursework, both activities designed to mislead the statutory authorities with regard to an important element of the pupils', and thereby the school's, performance. It also involves the provision of instructions to more junior members of staff to conduct themselves in a way which Mr Saunders and they knew to be wrong and then attempting to pass responsibility onto others.

The panel was satisfied that the conduct of Mr Saunders amounted to misconduct of a serious nature which fell significantly short of the standards expected of the profession. He had been found to have acted dishonestly and such dishonest conduct had been extensive.

Accordingly, the panel was satisfied that Mr Saunders was guilty of unacceptable professional conduct.

The panel had taken into account how the teaching profession was viewed by others and considered the influence that teachers may have on pupils, parents and others in the community. The panel had taken account of the uniquely influential role that teachers can hold in pupils’ lives and that pupils must be able to view teachers as role models in the way they behave.

The panel therefore found that Mr Saunders's actions constitute conduct that may bring the profession into disrepute.

Findings as to unacceptable professional conduct and/or conduct that may bring the profession into disrepute in respect of Mr Wallace

Having found the allegations against Mr Wallace to have been proven, the panel has gone on to consider whether the facts of those allegations amount to unacceptable professional conduct and conduct that may bring the profession into disrepute.

Whilst it noted, and had taken into account, Mr Wallace's admission in respect of unacceptable professional conduct in respect of particular 2(a) and that such conduct amounted to behaviour which lacked integrity under allegation 3, the panel recognised that this was a matter for its judgement.

In carrying out its deliberations, the panel had had regard to the document "Teacher Misconduct: The Prohibition of Teachers", which the panel referred to as “the Advice”.

The panel is satisfied that the conduct of Mr Wallace in relation to the facts found proven, involves breaches of the Teachers’ Standards. The panel considers that by reference to Part Two, Mr Wallace is in breach of the following standards:

- Teachers uphold public trust in the profession and maintain high standards of ethics and behaviour, within and outside school;
- Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach;
- Teachers must have an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities

The panel finds that the conduct of Mr Wallace fell significantly short of the standards expected of the profession.

The findings of misconduct are particularly serious as they include a finding of dishonesty on the part of a Vice Principal. He had arranged, and led, a meeting of staff in which he attempted to influence members of staff into behaving in a way designed to mislead an investigation. He then intended to produce a document which was again designed to mislead.

Accordingly, the panel was satisfied that Mr Wallace was guilty of unacceptable professional conduct.

The panel had taken into account how the teaching profession was viewed by others and considered the influence that teachers may have on pupils, parents and others in the community. The panel had taken account of the uniquely influential role that teachers can hold in pupils’ lives and that pupils must be able to view teachers as role models in the way they behave.

The panel therefore found that Mr Wallace's actions constitute conduct that may bring the profession into disrepute.

Panel’s recommendation to the Secretary of State in respect of Mr Paul Bilsby

Given the panel’s findings in respect of unacceptable professional conduct and conduct that may bring the profession into disrepute, the panel went on to consider whether it would be appropriate to recommend the imposition of a prohibition order by the Secretary of State.

In considering whether to recommend to the Secretary of State that a prohibition order should be made, the panel considered whether it was an appropriate and proportionate measure, and whether it was in the public interest to do so. Prohibition orders should not be given in order to be punitive, or to show that blame has been apportioned, although they were likely to have a punitive effect.

The panel has considered the particular public interest considerations set out in the Advice and, having done so, has found that, in this case, all three factors are engaged, namely: the protection of pupils; the maintenance of public confidence in the profession, and declaring and upholding proper standards of conduct.

In light of the panel’s findings against Mr Bilsby, which involved dishonesty in the fabrication of highly important statutory information designed to mislead, and which had persisted over a period of months, the panel considers that the academic progression of pupils affected by his conduct was adversely affected.

Similarly, the panel considers that public confidence in the profession could be seriously weakened if conduct such as that found against Mr Bilsby was not treated with the utmost seriousness when regulating the conduct of the profession.

The panel also considered that a strong public interest consideration in declaring proper standards of conduct in the profession was present as the conduct found against Mr Bilsby was outside that which could reasonably be tolerated.

In view of the clear public interest considerations that were present, the panel considered carefully whether or not it would be proportionate to impose a prohibition order taking into account the effect that this would have on Mr Bilsby.

In carrying out the balancing exercise, the panel considered the public interest considerations both in favour of and against prohibition as well as the interests of Mr Bilsby. The panel took further account of the Advice, which suggests that a prohibition order may be appropriate if certain behaviours of a teacher have been proven. In the list of such behaviours, those that are relevant in this case are:

- serious departure from the personal and professional conduct elements of the Teachers' Standards, and

- conduct which was dishonest.

In terms of aggravating factors, the panel considers that the following were present in this case:

- Mr Bilsby's dishonest conduct persisted over a number of months and involved not only falsification of grades designed to mislead the examining body but also the fabrication of pupil coursework which took place just over a fortnight later which, again, was designed to mislead and deceive the examining body;

- Mr Bilsby had taken part in a meeting on 29 August 2013 where the aim of the meeting, if put into effect, would have represented a further attempt at covering up his dishonest conduct;

- Consequently, this could not be classified as an isolated incident. It represented a pattern of behaviour;

- There had been no real acceptance by Mr Bilsby of his dishonest conduct until uncovered through information being provided by members of staff and following an investigation;

- Exam results had been invalidated. In that way, pupils had suffered a disadvantage;

- Mr Bilsby had shown a blatant disregard for rules and procedures of which he was aware and had failed to respond properly to warnings and advice he had been given by more junior members of staff;

- Mr Bilsby had sought to involve, and then blame, more junior members of staff for his dishonest activities in order to distance himself from responsibility;

- In involving other more junior members of staff in the attempted concealment of his dishonest conduct, he had caused considerable distress and anxiety to those members of staff;

- The prior exchanges of emails with Witness C at or about the time the false grades were submitted to the exams officer illustrated a sustained, systematic and deliberate intention to deceive Edexcel;

- Mr Bilsby had known for a number of months that the ICT BTEC Level 2 cohort in Year 11 in the academic year 2012/2013 could not possibly have justified the grades which he had included in the spreadsheet which was submitted to Edexcel;

- Whilst he had made certain admissions in the Statement of Agreed Facts, he maintained his denial that he had falsified the grades in the centralised spreadsheet and then, some three weeks later, instructed junior members of staff to fabricate pupils' work for submission to Edexcel in an attempt to cover up his dishonest conduct. Consequently, the panel does not consider that he has shown any genuine insight;

- For the same reasons, the panel was not satisfied that he had shown any genuine remorse;

- At the material time, Mr Bilsby held the senior position of Vice-Principal at the school. He knew he had a responsibility to set an example to the school in respect of professional behaviour and standards. It is difficult to imagine a worse example he could have set the pupils and staff at the school;

- His conduct caused damage to pupils, members of staff, the reputation of the school and the reputation of the profession.

Even though there were behaviours that would point to a prohibition order being appropriate, the panel went on to consider whether or not there were sufficient mitigating factors to militate against a prohibition order being an appropriate and proportionate measure to impose, particularly taking into account the nature and severity of the behaviour in this case.

The panel accepted that Mr Bilsby had engaged with the process to the extent that he had provided written submissions to the panel which it had considered carefully. However, for the reasons outlined above, the panel had rejected those submissions when considering the evidence which had been produced by the TRA.

As stated, the panel noted that Mr Bilsby had made certain admissions in respect of his conduct and had admitted he was guilty of unacceptable professional conduct. However, the panel repeats its comments with regard to the denial of the allegations in the face of very considerable evidence which had been tested before the panel. Consequently, the panel did not consider that those admissions which had been made by Mr Bilsby attracted much credit.

In terms of evidence in support of Mr Bilsby's character and his ability as a teacher, the panel had read the testimonials he had provided. All spoke of Mr Bilsby's commitment to, and his work with, pupils, parents and the community generally. They all describe the way in which he showed commitment and how he was passionate in improving the school in a challenging environment. One referee described Mr Bilsby as, "an outstanding teacher, an honest and dependable leader and a credit to the teaching profession."

Whilst all those who had engaged in these proceedings referred to the adverse culture in the school and the pressure under which teachers, to include members of the SMT, worked, the panel is satisfied that Mr Bilsby's conduct was deliberate and that he was not acting under duress.

The panel considered whether, based on the mitigating factors outlined and identified, it would be disproportionate, and therefore not in the public interest, to recommend to the Secretary of State that a prohibition order should be imposed without review. This was on the basis that the profession would lose the services of a teacher who has been described in positive terms by those who have provided supportive testimonials. The panel considered whether this outweighed the need for an order which prohibited indefinitely Mr Bilsby from teaching.

The panel first considered whether it would be proportionate to conclude this case with no recommendation of prohibition, considering whether the publication of the findings made by the panel is sufficient.

Whilst appreciating the consequences of its recommendation for Mr Bilsby, the panel is of the view that, in applying the standards of the ordinary intelligent citizen, recommending a prohibition order is a proportionate and appropriate response. The panel considers that the publication of the adverse findings it has made is not sufficient to reflect and illustrate to Mr Bilsby and to the wider public the seriousness of the panel's findings. Mr Bilsby had been found to be dishonest and had persisted in that dishonest conduct over a sustained period. The nature of the dishonest conduct and the period over which it continued meant, in the panel's judgment, that it was appropriate to describe the dishonesty as serious. It is absolutely essential to the integrity and reputation of the profession that a school and the examining body is able to trust a teacher to be entirely open and honest at all times with regard to his personal and professional conduct. Mr Bilsby's conduct was considered to be incompatible with being a teacher.

Accordingly, the panel makes a recommendation to the Secretary of State that a prohibition order should be imposed with immediate effect.

The panel went on to consider whether or not it would be appropriate to recommend that a review period of the order should be considered. The panel was mindful that the Advice states that a prohibition order applies for life, but there may be circumstances in any given case that may make it appropriate to allow a teacher to apply to have the prohibition order reviewed after a specified period of time that may not be less than 2 years.

The panel has considered the Advice which indicates that there are behaviours that, if proven, would militate against a review period being recommended. This includes cases of serious dishonesty. The panel has taken a step back and considered the overall

circumstances of this case. It has carried out a balancing exercise with regard to the features which can be described as either aggravating or mitigating Mr Bilsby's position.

The panel has found that Mr Bilsby has not shown an acceptable level of insight nor has he shown an appropriate level of contrition for his behaviour. Indeed, despite the events giving rise to these allegations taking place over five years ago, he has maintained a denial of dishonest behaviour throughout. As a consequence, the panel could derive no reassurance that there was no risk of a repetition of such behaviour if Mr Bilsby was allowed to teach at any stage in the future.

In its judgement, the panel felt the findings indicated a situation in which a review period would not be appropriate. Consequently, it decided that it would be proportionate in all the circumstances for the prohibition order to be recommended without provision for a review period.

Panel's recommendation to the Secretary of State in respect of Mr Kevin Saunders

Given the panel’s findings in respect of unacceptable professional conduct and conduct that may bring the profession into disrepute, the panel went on to consider whether it would be appropriate to recommend the imposition of a prohibition order by the Secretary of State.

In considering whether to recommend to the Secretary of State that a prohibition order should be made, the panel considered whether it was an appropriate and proportionate measure, and whether it was in the public interest to do so. Prohibition orders should not be given in order to be punitive, or to show that blame has been apportioned, although they were likely to have a punitive effect.

The panel has considered the particular public interest considerations set out in the Advice and, having done so, has found that, in this case, all three factors are engaged, namely: the protection of pupils; the maintenance of public confidence in the profession, and declaring and upholding proper standards of conduct.

In light of the panel’s findings against Mr Saunders, which included an involvement in dishonestly falsifying pupils' grades, and then participating in activities concerning the fabrication of pupils' coursework with the sole aim of misleading the examining body, the panel considers that the academic progression of pupils was adversely affected by the conduct of Mr Saunders.

Similarly, the panel considers that public confidence in the profession could be seriously weakened if conduct such as that found against Mr Saunders was not treated with the utmost seriousness when regulating the conduct of the profession.

The panel also considered that a strong public interest consideration in declaring proper standards of conduct in the profession was present as the conduct found against Mr Saunders was outside that which could reasonably be tolerated.

In view of the clear public interest considerations that were present, the panel considered carefully whether or not it would be proportionate to impose a prohibition order taking into account the effect that this would have on Mr Saunders.

In carrying out the balancing exercise, the panel considered the public interest considerations both in favour of and against prohibition as well as the interests of Mr Saunders. The panel took further account of the Advice, which suggests that a prohibition order may be appropriate if certain behaviours of a teacher have been proven. In the list of such behaviours, those that are relevant in this case are:

- serious departure from the personal and professional conduct elements of the Teachers' Standards, and

- conduct which was dishonest.

In terms of aggravating factors, the panel considers that the following were present in this case:

- Mr Saunders's dishonest conduct was not restricted to one activity. He knew of the fact that false grades had been submitted, he was involved in the falsification of coursework, and he then came up with the suggestion that Edexcel should be told that submission of the false grades had been a mistake;

- Consequently, this could not be classified as an isolated incident. It represented a pattern of behaviour;

- There had been no acceptance by Mr Saunders of dishonest conduct;

- Exam results had been invalidated. In that way, pupils had suffered a disadvantage;

- Mr Saunders had shown a blatant disregard for rules and procedures of which he was aware and had failed to respond properly to warnings and advice he had been given by more junior members of staff;

- In particular, the emails from Witness A over the preceding months could not have made it any clearer to Mr Saunders that there were serious concerns with regard to the ICT BTEC Level 2 course regarding the Year 11 pupils in the academic year 2012/2013;

- Indeed, Mr Saunders had been aware of the shortcomings for many months, at least from June 2012 and, since that time, he had been made aware on a regular basis of the ongoing problems;

- Despite clear documentary evidence to the contrary, Mr Saunders has persisted in his denial that he had any knowledge of the issues in ICT BTEC Level 2;

- Mr Saunders had sought to involve, and then blame, more junior members of staff in order to distance himself from responsibility;

- In involving other, more junior, members of staff in the attempted concealment of his dishonest conduct, he had caused considerable distress and anxiety to those members of staff;

- At the material time, Mr Saunders held the position of Principal at the school. It was for him to set the example to the school in respect of professional behaviour and standards. It is difficult to imagine a worse example he could have set the pupils and staff at the school;

- He had shown no remorse;

- His conduct caused damage to pupils, members of staff, the reputation of the school and the reputation of the profession.

Even though there were behaviours that would point to a prohibition order being appropriate, the panel went on to consider whether or not there were sufficient mitigating factors to militate against a prohibition order being an appropriate and proportionate measure to impose, particularly taking into account the nature and severity of the behaviour in this case.

The panel accepted that Mr Saunders had engaged with the process. He and his solicitors had made written submissions to the TRA. As stated, the panel had read all of the documents both in advance of the fact-finding stage and now at this stage when considering its recommendation to the Secretary of State. However, the written submissions in respect of the allegations contained denials in respect of the alleged conduct and sought to blame others.

The panel acknowledged that Mr Saunders had no adverse regulatory history.

In terms of references in support of Mr Saunders's character, the panel had read the testimonials he had provided. All speak highly of Mr Saunders's commitment to, and his work with, pupils. One referee states that Mr Saunders, "stands for leading a moral and ethical organisation with matching principles. I am convinced that Kevin would never jeopardise or endanger his principles as he would never weaken his relationships with his

staff students and stakeholders who, like him, pride themselves in excellent learning being at the core".

The panel notes that Mr Saunders has indicated that he was suffering considerably from stress and pressure at the time of the events which took place. However, no medical evidence had been produced and, whilst the panel had no doubt that Mr Saunders did find the role at the school a very stressful one, it did not excuse his behaviour nor the conscious decisions that he made. At the time of his dishonest conduct, he knew the difference between honest and dishonest behaviour and there was no persuasive evidence that he was acting under duress.

The panel considered whether, based on the mitigating factors outlined and identified, it would be disproportionate, and therefore not in the public interest, to recommend to the Secretary of State that a prohibition order should be imposed without review. This was on the basis that the profession would lose the services of a teacher who has been described in supportive terms by those who have provided testimonials. The panel considered whether this outweighed the need for an order which prohibited indefinitely Mr Saunders from teaching.

The panel first considered whether it would be proportionate to conclude this case with no recommendation of prohibition, considering whether the publication of the findings made by the panel is sufficient.

Whilst appreciating the consequences of its recommendation for Mr Saunders, the panel is of the view that, in applying the standards of the ordinary intelligent citizen, recommending a prohibition order is a proportionate and appropriate response. The panel considers that the publication of the adverse findings it has made is not sufficient to reflect and illustrate to Mr Saunders and to the wider public the seriousness of the panel's findings. Mr Saunders had been found to be dishonest and had persisted in that dishonest conduct over a sustained period. The nature of the dishonest conduct and the period over which it continued meant, in the panel's judgment, that it was appropriate to describe the dishonesty as serious. It is absolutely essential to the integrity and reputation of the profession that a school and the examining body is able to trust a teacher, particularly one holding such a senior and influential position, to be entirely open and honest at all times with regard to his personal and professional conduct. Mr Saunders's conduct was considered to be incompatible with being a teacher.

Accordingly, the panel makes a recommendation to the Secretary of State that a prohibition order should be imposed with immediate effect.

The panel went on to consider whether or not it would be appropriate to recommend that a review period of the order should be considered. The panel was mindful that the Advice states that a prohibition order applies for life, but there may be circumstances in any given case that may make it appropriate to allow a teacher to apply to have the

prohibition order reviewed after a specified period of time that may not be less than 2 years.

The panel has considered the Advice which indicates that there are behaviours that, if proven, would militate against a review period being recommended. This includes cases of serious dishonesty. The panel has taken a step back and considered the overall circumstances of this case. It has carried out a balancing exercise with regard to the features which can be described as either aggravating or mitigating Mr Saunders' position.

The panel has found that Mr Saunders has not shown an acceptable level of insight nor has he shown an appropriate level of contrition for his behaviour. Indeed, despite the events giving rise to these allegations taking place over five years ago, he has maintained a denial of dishonest behaviour throughout. As a consequence, the panel could derive no reassurance that there was no risk of a repetition of such behaviour if Mr Saunders was allowed to teach at any stage in the future.

In its judgement, the panel felt the findings indicated a situation in which a review period would not be appropriate. Consequently, it decided that it would be proportionate in all the circumstances for the prohibition order to be recommended without provision for a review period.

Panel's recommendation to the Secretary of State in respect of Mr Andrew Wallace

Given the panel’s findings in respect of unacceptable professional conduct and conduct that may bring the profession into disrepute, the panel went on to consider whether it would be appropriate to recommend the imposition of a prohibition order by the Secretary of State.

In considering whether to recommend to the Secretary of State that a prohibition order should be made, the panel considered whether it was an appropriate and proportionate measure, and whether it was in the public interest to do so. Prohibition orders should not be given in order to be punitive, or to show that blame has been apportioned, although they were likely to have a punitive effect.

The panel has considered the particular public interest considerations set out in the Advice and, having done so, has found that, in this case, all three factors are engaged, namely: the protection of pupils; the maintenance of public confidence in the profession, and declaring and upholding proper standards of conduct.

The panel had found that, whilst his conduct was of a different type to that of Mr Bilsby and Mr Saunders, nevertheless Mr Wallace's behaviour in participating in an effort to cover up the wrongdoings of his colleagues was damaging to pupils and the school.

Similarly, the panel considers that public confidence in the profession could be seriously weakened if conduct such as that found against Mr Wallace was not treated with the utmost seriousness when regulating the conduct of the profession.

The panel also considered that a strong public interest consideration in declaring proper standards of conduct in the profession was present as the conduct found against Mr Wallace was outside that which could reasonably be tolerated.

In view of the clear public interest considerations that were present, the panel considered carefully whether or not it would be proportionate to impose a prohibition order taking into account the effect that this would have on Mr Wallace.

In carrying out the balancing exercise, the panel considered the public interest considerations both in favour of and against prohibition as well as the interests of Mr Wallace. The panel took further account of the Advice, which suggests that a prohibition order may be appropriate if certain behaviours of a teacher have been proven. In the list of such behaviours, those that are relevant in this case are:

- serious departure from the personal and professional conduct elements of the Teachers' Standards, and
- conduct which was dishonest.

In terms of aggravating factors, the panel considers that the following were present in this case:

- Mr Wallace had known for some months of the concerns with regard to ICT BTEC Level 2 in 2012/2013;
- As early as January 2013, Mr Wallace had requested Witness A to change the dates on her IV in an effort to improve the appearance of what was happening on the course;
- Mr Wallace's dishonest conduct persisted throughout July and August 2013;
- Mr Wallace's dishonest conduct was not restricted to one activity. He had sent a report to Pearson knowing it to be inaccurate, and he then endeavoured to manipulate junior members of staff into acting in a way designed to conceal the dishonest conduct on the part of senior members of staff;
- Consequently, this could not be classified as an isolated incident. It represented a pattern of behaviour;

- There had been no real acceptance by Mr Wallace of his dishonest conduct until uncovered through information being provided by members of staff and following an investigation;

- Mr Wallace had sought to influence, and then place responsibility with, more junior members of staff in order to distance himself from responsibility;

- There had been a level of acceptance by Mr Wallace of improper conduct but he maintained a denial over certain aspects of his behaviour in the face of clear evidence;

- Mr Wallace had shown a blatant disregard for rules and procedures of which he was aware and had failed to respond properly to warnings and advice he had been given by more junior members of staff;

- In particular, the emails from Witness A over the preceding months could not have made it any clearer to Mr Wallace, whether sent to him directly or copied to him, that there were serious concerns with regard to the ICT BTEC Level 2 course regarding the Year 11 pupils in the academic year 2012/2013;

- In involving other more junior members of staff in the attempted concealment of the dishonest conduct of other senior members of staff, he himself had acted dishonestly and had caused considerable distress and anxiety to those more junior members of staff;

- At the material time, Mr Wallace held the senior position of Vice-Principal at the school. He knew he had a responsibility to set an example to the school in respect of professional behaviour and standards. It is difficult to imagine a worse example he could have set the pupils and staff at the school;

- His conduct caused damage to pupils, members of staff, the reputation of the school and the reputation of the profession.

Even though there were behaviours that would point to a prohibition order being appropriate, the panel went on to consider whether or not there were sufficient mitigating factors to militate against a prohibition order being an appropriate and proportionate measure to impose, particularly taking into account the nature and severity of the behaviour in this case.

The panel accepted that Mr Wallace had engaged with the process and had been corresponding with the TRA. He had attended to give evidence and had been questioned for over a day. The panel noted that Mr Wallace had made certain admissions in respect of his conduct, to include behaving with a lack of integrity, and had admitted he was guilty of unacceptable professional conduct. The panel did consider that Mr Wallace deserved some credit for those admissions.

Mr Wallace had not faced allegations that he had been personally involved in the falsification of grades or the fabrication of coursework. However, he had shown a gross error of judgment, and acted dishonestly, in attempting to cover up the dishonest conduct of his colleagues.

In terms of references in support of Mr Wallace's character, whilst the panel had not been shown any testimonials which were in the traditional format, the panel had read the material he had provided which were supportive of him as a person and as a teacher.

The panel considered whether, based on the mitigating factors outlined and identified, it would be disproportionate, and therefore not in the public interest, to recommend to the Secretary of State that a prohibition order should be imposed without review. This was on the basis that the profession would lose the services of a teacher who has been described in supportive terms by those who have provided comments, notes and cards. The panel considered whether this outweighed the need for an order which prohibited indefinitely Mr Wallace from teaching.

The panel first considered whether it would be proportionate to conclude this case with no recommendation of prohibition, considering whether the publication of the findings made by the panel is sufficient.

Whilst appreciating the consequences of its recommendation for Mr Wallace, the panel is of the view that, in applying the standards of the ordinary intelligent citizen, recommending a prohibition order is a proportionate and appropriate response. The panel considers that the publication of the adverse findings it has made is not sufficient to reflect and illustrate to Mr Wallace and to the wider public the seriousness of the panel's findings. Mr Wallace had been found to be dishonest and had persisted in that dishonest conduct over a sustained period. The nature of the dishonest conduct and the period over which it continued meant, in the panel's judgment, that it was appropriate to describe the dishonesty as serious. It is absolutely essential to the integrity and reputation of the profession that a school and the examining body is able to trust a senior teacher to be entirely open and honest at all times with regard to his personal and professional conduct. Mr Wallace's conduct was considered to be incompatible with being a teacher.

Accordingly, the panel makes a recommendation to the Secretary of State that a prohibition order should be imposed with immediate effect.

The panel went on to consider whether or not it would be appropriate to recommend that a review period of the order should be considered. The panel was mindful that the Advice stated that a prohibition order applies for life, but there may be circumstances in any given case that may make it appropriate to allow a teacher to apply to have the prohibition order reviewed after a specified period of time that may not be less than 2 years.

The panel has considered the Advice which indicates that there are behaviours that, if proven, would militate against a review period being recommended. This includes cases of serious dishonesty. However, the panel has taken a step back and considered the overall circumstances of this case. It has carried out a balancing exercise with regard to the features which can be described as either aggravating or mitigating Mr Wallace's position.

The panel accepts that Mr Wallace has shown a level of insight and, at the hearing, he had apologised for his behaviour.

In its judgement, the panel felt the findings could be distinguished from the conduct of those whose cases arose out the same circumstances. Whilst Mr Wallace had been found to be guilty of dishonest conduct which was serious, he himself had not falsified grades nor had he fabricated documents. He had engaged with the proceedings, had admitted certain of his conduct and that such conduct represented both a lack of integrity and unacceptable professional conduct. To that extent, he had shown a level of insight and contrition.

In its judgement, having considered this case over five days, and listened carefully to the evidence, the panel felt the findings indicated a situation in which a review period would be appropriate. As such, the panel decided that it would be proportionate in all the circumstances for the prohibition order to be recommended with Mr Wallace entitled to apply for a review after a period of eight years. This would adequately and sufficiently mark to the public the seriousness of the panel's findings.

Decision and reasons on behalf of the Secretary of State

I have given very careful consideration to these three cases and to the recommendations of the panel in respect of both sanction and review period for each teacher. In doing so I have read with considerable care all of the panel’s carefully set out findings. I have also ensured that I treat each teacher’s case on its own individual merits. I have recognised that the cases were joined at the hearing, but I have considered the findings and the recommendations of the panel for each teacher, separately and in turn.

In considering these cases, I have also given very careful attention to the Advice that the Secretary of State has published concerning the prohibition of teachers.

In this case, the panel has found all of the allegations relating to Mr Paul Bilsby to be proven.

The panel has also found all of the allegations relating to Mr Kevin Saunders proven.

The panel has also found that all of the allegations relating to Mr Andrew Wallace are proven.

The panel has found in the case of Mr Paul Bilsby that the facts proven amount to unacceptable professional conduct and conduct that may bring the profession into disrepute.

The panel has also found in the case of Mr Kevin Saunders that the facts proven amount to unacceptable professional conduct and conduct that may bring the profession into disrepute.

The panel has also found in the case of Mr Andrew Wallace that the facts proven amount to unacceptable professional conduct and conduct that may bring the profession into disrepute.

Mr Paul Bilsby

The panel has made a recommendation to the Secretary of State that Mr Paul Bilsby should be the subject of a prohibition order. The panel has recommended that there should be no provision for a review period.

In particular, the panel has found that Mr Bilsby is in breach of the following standards:

- Teachers uphold public trust in the profession and maintain high standards of ethics and behaviour, within and outside school;
- Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach;
- Teachers must have an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities

The panel has gone on to say that it “finds that the conduct of Mr Bilsby fell significantly short of the standards expected of the profession.”

The panel has said that the findings of misconduct are particularly serious as they include “a finding of dishonesty on the part of a Vice Principal of a school.” The panel also states that the misconduct “also involves the provision of instructions to more junior members of staff to conduct themselves in a way which Mr Bilsby and they knew to be wrong and then attempting to pass responsibility onto others.”

I have to determine whether the imposition of a prohibition order is proportionate and in the public interest. In considering that for this case, I have considered the overall aim of a prohibition order which is to protect pupils and to maintain public confidence in the profession. I have considered the extent to which a prohibition order in this case would achieve that aim taking into account the impact that it will have on the individual teacher, Mr Bilsby. I have also asked myself, whether a less intrusive measure, such as the published finding of unacceptable professional conduct and conduct that may bring the

profession into disrepute, would itself be sufficient to achieve the overall aim. I have to consider whether the consequences of such a publication are themselves sufficient. I have considered therefore whether or not prohibiting Mr Bilsby, and the impact that will have on him, is proportionate and in the public interest.

In this case, I have considered the extent to which a prohibition order would protect children. The panel has observed, “Exam results had been invalidated. In that way, pupils had suffered a disadvantage”

A prohibition order would therefore prevent such a risk from being present in the future.

I have also taken into account the panel’s comments on insight and remorse, which the panel sets out as follows, “Mr Bilsby has not shown an acceptable level of insight nor has he shown an appropriate level of contrition for his behaviour. Indeed, despite the events giving rise to these allegations taking place over five years ago, he has maintained a denial of dishonest behaviour throughout. As a consequence, the panel could derive no reassurance that there was no risk of a repetition of such behaviour if Mr Bilsby was allowed to teach at any stage in the future.”

In my judgement, the lack of an acceptable level of insight means that there is some risk of the repetition of this behaviour and this means that there is a risk that future pupils will be disadvantaged. I have therefore given this element considerable weight in reaching my decision.

I have gone on to consider the extent to which a prohibition order would maintain public confidence in the profession. The panel observe that it has, “taken into account how the teaching profession was viewed by others and considered the influence that teachers may have on pupils, parents and others in the community. The panel had taken account of the uniquely influential role that teachers can hold in pupils’ lives and that pupils must be able to view teachers as role models in the way they behave.”

I am particularly mindful of the finding of dishonesty in this case and the impact that such a finding has on the reputation of the profession.

I have had to consider that the public has a high expectation of professional standards of all teachers and that the public might regard a failure to impose a prohibition order as a failure to uphold those high standards. In weighing these considerations, I have had to consider the matter from the point of view of an “ordinary intelligent and well-informed citizen.”

I have considered whether the publication of a finding of unacceptable professional conduct, in the absence of a prohibition order, can itself be regarded by such a person as being a proportionate response to the misconduct that has been found proven in this case.

I have also considered the impact of a prohibition order on Mr Bilsby himself. I have taken careful account of the panels comments concerning the contribution that Mr Bilsby has made and other positive references, including, “All spoke of Mr Bilsby's commitment to, and his work with, pupils, parents and the community generally. They all describe the way in which he showed commitment and how he was passionate in improving the school in a challenging environment. One referee described Mr Bilsby as, "an outstanding teacher, an honest and dependable leader and a credit to the teaching profession."

I recognise that a prohibition order would prevent Mr Bilsby from teaching and that a prohibition order would also clearly deprive the public of his contribution to the profession for the period that it is in force.

In this case, I have placed considerable weight on the panel’s comments concerning both the lack of insight or remorse and the serious nature of the behaviour that has been found. The panel has said, “Mr Bilsby had been found to be dishonest and had persisted in that dishonest conduct over a sustained period. The nature of the dishonest conduct and the period over which it continued meant, in the panel's judgment, that it was appropriate to describe the dishonesty as serious.”

I have also placed considerable weight on the finding of the panel that Mr Bilsby, “instructed junior members of staff to fabricate pupils' work for submission to Edexcel in an attempt to cover up his dishonest conduct.”

I have given less weight in my consideration of sanction therefore, to the contribution that Mr Bilsby has made to the profession. In my view, it is necessary to impose a prohibition order in order to maintain public confidence in the profession. A published decision that is not backed up by a suitable level of remorse or insight, does not in my view satisfy the public interest requirement concerning public confidence in the profession, especially when combined with a finding of serious dishonesty.

For these reasons, I have concluded that a prohibition order is proportionate and in the public interest in order to achieve the intended aims of a prohibition order.

I have gone on to consider the matter of a review period. In this case, the panel has recommended that no provision should be made for a review period.

I have considered the panel’s comments “ despite the events giving rise to these allegations taking place over five years ago, he has maintained a denial of dishonest behaviour throughout. As a consequence, the panel could derive no reassurance that there was no risk of a repetition of such behaviour if Mr Bilsby was allowed to teach at any stage in the future. “

I have considered whether allowing for no review period reflects the seriousness of the findings and is a proportionate period to achieve the aim of maintaining public confidence

in the profession. In this case, there are three factors which mean that to allow for a no review period in the case of Mr Bilsby is necessary to achieve the aim of maintaining public confidence in the profession. These elements are the serious dishonesty found, the attempt to place pressure on other members of staff to act dishonestly and the lack of appropriate insight or remorse.

I consider therefore that allowing for no review period is necessary to maintain public confidence and is proportionate and in the public interest.

Mr Kevin Saunders

The panel has made a recommendation to the Secretary of State that Mr Kevin Saunders should be the subject of a prohibition order. The panel has recommended that there should be no provision for a review period.

In particular, the panel has found that Mr Kevin Saunders is in breach of the following standards:

- Teachers uphold public trust in the profession and maintain high standards of ethics and behaviour, within and outside school;
- Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach;
- Teachers must have an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities

The panel has also found that the conduct of Mr Saunders “fell significantly short of the standards expected of the profession.”

The panel states that it finds the findings of misconduct to be particularly serious as they include a finding of dishonesty on the part of a Principal. The panel also goes on to state that “ Mr Saunders was involved in the submission of false information to an examining board and the fabrication of coursework, both activities designed to mislead the statutory authorities with regard to an important element of the pupils', and thereby the school's, performance. It also involves the provision of instructions to more junior members of staff to conduct themselves in a way which Mr Saunders and they knew to be wrong and then attempting to pass responsibility onto others.”

The panel was therefore “satisfied that the conduct of Mr Saunders amounted to misconduct of a serious nature which fell significantly short of the standards expected of the profession. He had been found to have acted dishonestly and such dishonest conduct had been extensive.”

I have to determine whether the imposition of a prohibition order is proportionate and in the public interest. In considering that for the case of Mr Saunders, I have considered the overall aim of a prohibition order which is to protect pupils and to maintain public confidence in the profession. I have considered the extent to which a prohibition order in this case would achieve that aim taking into account the impact that it will have on the individual teacher, Mr Saunders. I have also asked myself, whether a less intrusive measure, such as the published finding of unacceptable professional conduct and conduct that may bring the profession into disrepute, would itself be sufficient to achieve the overall aim. I have to consider whether the consequences of such a publication are themselves sufficient. I have considered therefore whether or not prohibiting Mr Saunders, and the impact that will have on him, is proportionate and in the public interest.

In this case, I have considered the extent to which a prohibition order would protect children. The panel has observed, “Exam results had been invalidated. In that way, pupils had suffered a disadvantage.”

A prohibition order would therefore prevent such a risk of pupils suffering a disadvantage from being present in the future. I have also taken into account the panel’s comments on insight and remorse, which the panel sets out as follows, “ Mr Saunders has not shown an acceptable level of insight nor has he shown an appropriate level of contrition for his behaviour. Indeed, despite the events giving rise to these allegations taking place over five years ago, he has maintained a denial of dishonest behaviour throughout. As a consequence, the panel could derive no reassurance that there was no risk of a repetition of such behaviour if Mr Saunders was allowed to teach at any stage in the future. “In my judgement, I share the view of the panel that the lack of an acceptable level of insight means that there is some risk of the repetition of this behaviour and this means there is a risk of pupils suffering a disadvantage in the future. I have therefore given this element considerable weight in reaching my decision.

I have gone on to consider the extent to which a prohibition order would maintain public confidence in the profession. The panel observe that it has, “ taken into account how the teaching profession was viewed by others and considered the influence that teachers may have on pupils, parents and others in the community. The panel had taken account of the uniquely influential role that teachers can hold in pupils’ lives and that pupils must be able to view teachers as role models in the way they behave.”

I am particularly mindful of the finding of dishonesty in this case and the impact that such a finding has on the reputation of the profession.

I have had to consider that the public has a high expectation of professional standards of all teachers and that the public might regard a failure to impose a prohibition order as a failure to uphold those high standards. In weighing these considerations, I have had to

consider the matter from the point of view of an “ordinary intelligent and well-informed citizen.”

I have considered whether the publication of a finding of unacceptable professional conduct, in the absence of a prohibition order, can itself be regarded by such a person as being a proportionate response to the misconduct that has been found proven in this case.

I have also considered the impact of a prohibition order on Mr Saunders himself. I have therefore taken into account the panel’s comments concerning the contribution that Mr Saunders has made to the profession and the positive references put to them, including, “All speak highly of Mr Saunders's commitment to, and his work with, pupils. One referee states that Mr Saunders, "stands for leading a moral and ethical organisation with matching principles. I am convinced that Kevin would never jeopardise or endanger his principles as he would never weaken his relationships with his staff, students and stakeholders who, like him, pride themselves in excellent learning being at the core".

I have also taken into my consideration the comments from the panel in which it “notes that Mr Saunders has indicated that he was suffering considerably from stress and pressure at the time of the events which took place. However, no medical evidence had been produced and, whilst the panel had no doubt that Mr Saunders did find the role at the school a very stressful one, it did not excuse his behaviour nor the conscious decisions that he made. At the time of his dishonest conduct, he knew the difference between honest and dishonest behaviour and there was no persuasive evidence that he was acting under duress.”

A prohibition order would prevent Mr Saunders from teaching and would also clearly deprive the public of his contribution to the profession for the period that it is in force.

In this case, I have placed considerable weight on the panel’s comments concerning the lack of insight or remorse and the seriousness of the misconduct that they have found. The panel has said, “ Mr Saunders had been found to be dishonest and had persisted in that dishonest conduct over a sustained period. The nature of the dishonest conduct and the period over which it continued meant, in the panel's judgment, that it was appropriate to describe the dishonesty as serious. It is absolutely essential to the integrity and reputation of the profession that a school and the examining body is able to trust a teacher, particularly one holding such a senior and influential position, to be entirely open and honest at all times with regard to his personal and professional conduct. Mr Saunders's conduct was considered to be incompatible with being a teacher.

I have also placed considerable weight on the finding of the panel that Mr Saunders, “had sought to involve, and then blame, more junior members of staff in order to distance himself from responsibility; and in involving other, more junior, members of staff in the

attempted concealment of his dishonest conduct, he had caused considerable distress and anxiety to those members of staff."

I have given less weight in my consideration of sanction therefore, to the contribution that Mr Saunders has made to the profession. In my view, it is necessary to impose a prohibition order in order to maintain public confidence in the profession. A published decision that is not backed up by an acceptable level of insight, does not in my view satisfy the public interest requirement concerning public confidence in the profession, especially when combined with a finding of serious dishonesty."

For these reasons, I have concluded that a prohibition order is proportionate and in the public interest in order to achieve the intended aims of a prohibition order.

I have gone on to consider the matter of a review period. In this case, the panel has recommended that no provision should be made for a review period.

I have considered the panel's comments "despite the events giving rise to these allegations taking place over five years ago, he has maintained a denial of dishonest behaviour throughout. As a consequence, the panel could derive no reassurance that there was no risk of a repetition of such behaviour if Mr Saunders was allowed to teach at any stage in the future."

I have considered whether allowing for no review reflects the seriousness of the findings and is a proportionate period to achieve the aim of maintaining public confidence in the profession. In this case, there are three factors that mean that allowing for a no review period is necessary to achieve the aim of maintaining public confidence in the profession. These elements are the serious dishonesty found, the lack of an acceptable level of insight, and the pressure placed on other junior members of staff to act dishonestly.

I consider therefore that allowing for no review period is necessary to maintain public confidence and is proportionate and in the public interest.

Mr Andrew Wallace

The panel has made a recommendation to the Secretary of State that Mr Andrew Wallace should be the subject of a prohibition order, with a review period of eight years.

In particular, the panel has found that Mr Andrew Wallace is in breach of the following standards:

- Teachers uphold public trust in the profession and maintain high standards of ethics and behaviour, within and outside school;

- Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach;

- Teachers must have an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities

The panel also found that the conduct of Mr Andrew Wallace “fell significantly short of the standards expected of the profession.”

The panel went on to say that the “findings of misconduct are particularly serious as they include a finding of dishonesty on the part of a Vice Principal. He had arranged, and led, a meeting of staff in which he attempted to influence members of staff into behaving in a way designed to mislead an investigation. He then intended to produce a document which was again designed to mislead.”

I have to determine whether the imposition of a prohibition order is proportionate and in the public interest. In considering that for this case, I have considered the overall aim of a prohibition order which is to protect pupils and to maintain public confidence in the profession. I have considered the extent to which a prohibition order in this case would achieve that aim taking into account the impact that it will have on the individual teacher. I have also asked myself, whether a less intrusive measure, such as the published finding of unacceptable professional conduct and conduct that may bring the profession into disrepute, would itself be sufficient to achieve the overall aim. I have to consider whether the consequences of such a publication are themselves sufficient. I have considered therefore whether or not prohibiting Mr Andrew Wallace, and the impact that will have on him, is proportionate and in the public interest.

In this case, I have considered the extent to which a prohibition order would protect children. The panel has observed, “It is difficult to imagine a worse example he could have set the pupils and staff at the school. His conduct caused damage to pupils,” A prohibition order would therefore prevent such a risk from being present in the future. I have also taken into account the panel’s comments on insight and remorse, which the panel sets out as follows, “ The panel accepts that Mr Wallace has shown a level of insight and, at the hearing, he had apologised for his behaviour.” The panel also say that, “He had engaged with the proceedings, had admitted certain of his conduct and that such conduct represented both a lack of integrity and unacceptable professional conduct. To that extent, he had shown a level of insight and contrition.”

I have therefore given this element considerable weight in reaching my overall decision.

I have gone on to consider the extent to which a prohibition order would maintain public confidence in the profession. The panel observe that it has, “ taken into account how the teaching profession was viewed by others and considered the influence that teachers may have on pupils, parents and others in the community. The panel had taken account of the uniquely influential role that teachers can hold in pupils’ lives and that pupils must be able to view teachers as role models in the way they behave.”

I am particularly mindful of the finding of dishonesty in this case and the impact that such a finding has on the reputation of the profession. In addition, Mr Wallace, “attempted to influence members of staff into behaving in a way designed to mislead an investigation.”

I have had to consider that the public has a high expectation of professional standards of all teachers and that the public might regard a failure to impose a prohibition order as a failure to uphold those high standards. In weighing these considerations, I have had to consider the matter from the point of view of an “ordinary intelligent and well-informed citizen.”

I have considered whether the publication of a finding of unacceptable professional conduct, in the absence of a prohibition order, can itself be regarded by such a person as being a proportionate response to the misconduct that has been found proven in this case.

I have also considered the impact of a prohibition order on Mr Wallace himself. I have taken account of the positive comments noted by the panel, especially referring to him as, “a teacher who has been described in supportive terms by those who have provided comments, notes and cards.”

A prohibition order would prevent Mr Wallace from teaching and would also clearly deprive the public of his contribution to the profession for the period that it is in force.

In this case, I have placed some weight on the panel’s comments concerning the evidence of some insight or remorse, whilst also continuing to weigh against that the comments of the panel which state that, “ the findings of misconduct are particularly serious as they include a finding of dishonesty on the part of a Vice Principal. He had arranged, and led, a meeting of staff in which he attempted to influence members of staff into behaving in a way designed to mislead an investigation. He then intended to produce a document which was again designed to mislead.”

However I have also noted the comments of the panel that, “Whilst Mr Wallace had been found to be guilty of dishonest conduct which was serious, he himself had not falsified grades nor had he fabricated documents. He had engaged with the proceedings, had admitted certain of his conduct and that such conduct represented both a lack of integrity and unacceptable professional conduct. To that extent, he had shown a level of insight and contrition.”

I have given less weight in my consideration of sanction therefore, to the contribution that Mr Wallace has made to the profession. In my view, it is necessary to impose a prohibition order in order to maintain public confidence in the profession. The conduct in this case is serious and although there has been a level of insight and remorse it does not in my view remove the need to impose a prohibition order.

For these reasons, I have concluded that a prohibition order is proportionate and in the public interest in order to achieve the intended aims of a prohibition order.

I have gone on to consider the matter of a review period. In this case, the panel has recommended an 8 year review period.

I have considered the panel's comments "In its judgement, having considered this case over five days, and listened carefully to the evidence, the panel felt the findings indicated a situation in which a review period would be appropriate. As such, the panel decided that it would be proportionate in all the circumstances for the prohibition order to be recommended with Mr Wallace entitled to apply for a review after a period of eight years. This would adequately and sufficiently mark to the public the seriousness of the panel's findings."

I have considered whether an 8 year review period reflects the seriousness of the findings and is a proportionate period to achieve the aim of maintaining public confidence in the profession. I have also taken into account that the published guidance would usually indicate that a finding of serious dishonesty would lead to a no review prohibition.

In this case, there are two factors that mean that a two-year review period is not sufficient to achieve the aim of maintaining public confidence in the profession. Indeed these elements are so serious that in my view they require a significant review period. These elements are the dishonesty found and the attempt to influence members of staff into behaving in a way designed to mislead an investigation. These are very serious matters. However I have paid careful attention to the panel's recommendation and I support the view that an 8 year review period will adequately and sufficiently mark to the public the seriousness of the findings in this case.

I consider therefore that an eight year review period is required to satisfy the maintenance of public confidence in the profession.

Mr Paul Bilsby

This means that Mr Paul Bilsby is prohibited from teaching indefinitely and cannot teach in any school, sixth form college, relevant youth accommodation or children's home in England. Furthermore, in view of the seriousness of the allegations found proved against him, I have decided that Mr Paul Bilsby shall not be entitled to apply for restoration of his eligibility to teach.

This order takes effect from the date on which it is served on the teacher.

Mr Paul Bilsby has a right of appeal to the Queen's Bench Division of the High Court within 28 days from the date he is given notice of this order.

Mr Kevin Saunders

This means that Mr Kevin Saunders is prohibited from teaching indefinitely and cannot teach in any school, sixth form college, relevant youth accommodation or children's home in England. Furthermore, in view of the seriousness of the allegations found proved against him, I have decided that Mr Kevin Saunders shall not be entitled to apply for restoration of his eligibility to teach.

This order takes effect from the date on which it is served on the teacher.

Mr Kevin Saunders has a right of appeal to the Queen's Bench Division of the High Court within 28 days from the date he is given notice of this order.

Mr Andrew Wallace

This means that Mr Andrew Wallace is prohibited from teaching indefinitely and cannot teach in any school, sixth form college, relevant youth accommodation or children's home in England. He may apply for the prohibition order to be set aside, but not until 13 February 2027, 8 years from the date of this order at the earliest. This is not an automatic right to have the prohibition order removed. If he does apply, a panel will meet to consider whether the prohibition order should be set aside. Without a successful application, Mr Andrew Wallace remains prohibited from teaching indefinitely.

This order takes effect from the date on which it is served on the teacher.

Mr Andrew Wallace has a right of appeal to the Queen's Bench Division of the High Court within 28 days from the date he is given notice of this order.

Decision maker: Alan Meyrick

Date: 7 February 2019

This decision is taken by the decision maker named above on behalf of the Secretary of State.